



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
November 18, 2025
TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS CASES
- IV. NEW BUSINESS
 - A. **PLAT (Preliminary and Final) – Public Hearing**
 - 1. Bay Court SD, 5 lots, Bay Court, Emily Key, authorized representative for Three Keys Properties, LLC, property owner, preliminary and final approval.
 - B. **CONDITIONAL USE – Public Hearing**
 - 2. Rudy Sardinas, authorized representative for Viking Sun, Inc, property owner, 809 1st Avenue, C-1 zoning district, Neos church and cafe/work space.
 - 3. Foresite Group, LLC, authorized representative for Opelika 26. LLC, property owner, 2900 Society Hill Road, C-2 zoning district, Society Hill Apartments — 265 units.
 - 4. Tyler Hearin, authorized representative for Leslie Greene Dudley, property owner, 1525 Old Columbus Road, M-1 zoning district, Recovered material processing material.
 - 5. Arbour Valley Development, LLC, authorized representative for Michael V. Shannon/ Weaver C/O Crooked Creek, property owner, Fox Run Avenue and Fox Run Parkway Intersection, 144 apartment units.
 - C. **AMENDMENTS TO COMPREHENSIVE PLAN AND REZONING - Public Hearing**
 - 6. (a) Rezoning request, Bill Perry, authorized representative for James David Perry, property owner, 2505 Anderson Road, 20.1 acres, from R-3 to R-4.

(b) Amendment to Future Land Use Map, 2505 Anderson Road, 20.1 acres, from a medium density land use category to a high density land use category.
 - 7. Rezoning request, WRO LLC, property owner, 2209 Lafayette Parkway, 6.1 acres, from M-1, GC-P to C-3, GC-P zoning district.

8. (a) Rezoning Request, Blake Rice, BSI Inc., authorized representative for Gateway Development, LLC, property owner, Gateway Drive, 5.1 acres, from R-4 to PUD.

(b) Amendment to Future Land Use Map, Gateway Drive, 5.1 acres, from a residential growth land use category to a mixed-use land use category.

D. MASTER PLAN AMENDMENT — Public Hearing

9. Major Revisions to the Wyndham Planned Unit Development, 15 Acres, Intersection of Wyndham Industrial Drive and Gateway Drive, Blake Rice, BSI, Inc., authorized representative for CPP Investment, LLC, property owner, Change of use from an Office use to a Contractor's office with equipment yard and material yard.

V. OLD BUSINESS

E. CONDITIONAL USE — Public Hearing

10. Dave King, authorized representative of King Automobiles, Inc., Northwest corner of Dunlop Drive & Hwy 280, C-3, GC-P, Commercial retail. *(This item was tabled at the October 28th Planning Commission meeting.)*
11. Dave King, authorized representative of King Automobiles, Inc., Front corner of Highway 280 Northwest corner of Dunlop Drive and Hwy 280, C-3, GC-P, Commercial retail. *(This item was tabled at the October 28th Planning Commission meeting.)*

F. TEXT AMENDMENTS TO THE ZONING ORDINANCE — Public Hearing

12. (a) Section 7.3A - Revision of Minimum Lot Width in the C-1 zone
(b) Revision to Section 7.3. C. Use Categories (matrix table) to Package Liquor Store and Section 8.28.5 Package Liquor Store Standards for Use - A public hearing to consider a recommendation to the City Council on proposed amendment to the Zoning Ordinance. *(These items were tabled at the October 28th Planning Commission meeting.)*

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



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

October 28, 2025

TIME: 3:00 PM

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.

II. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting on October 28, 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, Tom Penton, Councilman George Allen, Mr. John Sweatman, Mrs. Leigh Whatley and Mr. Sheldon Whittelsey.

MEMBERS ABSENT: Dr. Arturo Menefee & Mr. Jay Walters

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford, Planning & Zoning Technician
Mr. Scott Parker, City Engineer
Mr. Guy Gunter, City Attorney

CALL TO ORDER: Chair Lucinda Cannon called the meeting to order at 3:00 p.m.

Chair Cannon thanked Mayor Gary Fuller, Councilwoman Leigh Whatley and Guy Gunter for their years of service on the Planning Commission and presented them with a gift.

Approval of Planning Commission Minutes September 23, 2025

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Councilman Ward 1 - President Willie Allen
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 - President Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

III. UPDATE ON PREVIOUS CASES

Mr. Mosley stated that the City Council held Public Hearings for two previous Planning Commission Text Amendments: Amend Zoning Ordinance Bed and Breakfast (more restrictive) — Section 2.2 Definitions, Section 3.1 Building Permit Required, Section 8.11.1 Temporary Structures/Temporary Uses, Adding Section 8.28.4 Standards for Bed and Breakfast

and Public Hearing - Amend Zoning Ordinance Bed and Breakfast (less restrictive)-Section 2.2 Definitions, Section 3.1 Building Permit Required, Section 8.11.1 Temporary Structures/Temporary Uses, Adding Section 8.28.4 Standards for Bed and Breakfast. Both amendments were denied.

IV. NEW BUSINESS

A. PLAT (Preliminary Only) – Public Hearing

1. E.E.B. SD, 3 lots, Hayes Eiford, authorized representative for FTC Investments LLC and Watson & Downs Investments II, LLC, property owners, Columbus Parkway & Logan Drive.

Mr. Mosley presented the staff report to the Planning Commission for the preliminary plat request of E.E.B. Subdivision. Mr. Mosley stated that the applicant is requesting preliminary plat approval for three lots and the dedication of right of way. The right-of-way dedication provides access to the Bridgewater PUD development, a mixed-residential development with 541-unit single-family homes. At the August 2025 PC meeting, preliminary plat approval was granted for the lots. The right of way dedication is about 1,100 feet long, extending from Columbus Road toward Bridgewater (see street highlighted on next page). The lot area for the three lots is 6 acres, 7.8 acres, and 3.7 acres.

Planning staff recommends preliminary plat approval subject to the following:

1. Add a vicinity map.
2. Add the name and address of the owner/developer on the plat.
3. Change the title block from Auburn to the City of Opelika.
4. Add on plat the names and recordation data for existing adjoining recorded subdivisions.
5. Add the FEMA Panel No. and effective date.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Councilman Ward 1 Willie Allen
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

B. FINAL PLAT

2. Wyndham Village SD, Phase 3, Section 3, 38 lots, Mark Strozier, authorized representative for Wyndham Gateway, LLC, property owner, Wyndham Lane, final approval

Mr. Mosley presented the staff report to the Planning Commission for the final plat approval for a 38-lot subdivision, Wyndham Village, Phase 3, Section 3. Mr. Mosley stated that the 38 residential lots are part of a 523-lot development shown as Pod of the amended Wyndham PUD approved in January 2020. The lots in Pod 11 are designated as 65-foot-wide lots with a minimum area of 7,500 square feet. All these lots exceed the minimum lot size and generally meet the requirements for the larger 75-foot lots. The preliminary plat of 100 lots designates these lots to all have minimum front lot width of 75 feet.

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

Staff recommend preliminary plat approval subject to the following:

1. **Sidewalks are required on at least one side of the street.**
2. **All utilities shall be underground.**
3. **The FEMA flood panel numbers and date should be updated.**

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

Motion to grant final plat approval with staff recommendation

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Sheldon Whittelsey
DISCUSSION	Councilman Allen: Asked if there were supposed to be sidewalks on both sides. Mr. Mosley: Stated that this property was platted before the requirement for sidewalks on each side went into effect.
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

3. Blackberry Reserve SD, Phase 1, 67 lots, Blake Rice, BSI, Inc., authorized representative of Trademark Quality Homes, Inc., property owner, Hwy 431 (Lafayette Parkway), final approval.

Mr. Mosley presented the staff report to the Planning Commission for the request of final plat approval of a 68-lot subdivision Phase One in the 166-acre Blackberry Reserve PUD development (245 lots total). Mr. Mosley stated that the development is on the corner of Lafayette Parkway and Cusseta Road. The development is accessed from Lafayette Parkway. The density for the entire 166-acre PUD development is 1.45 dwelling units per acre. He further stated that Yancey Cemetery is shown on the north side of the final plat with an additional boundary, Lot 301. This represents areas of the cemetery that did not lie within the original parcel. The preliminary plat approval required the boundaries of the cemetery must be identified on site, and the cemetery protected.

Staff recommends final plat approval subject to the following:

- 1. Install underground utilities.**
- 2. Install sidewalks on at least one side of all streets.**
- 3. Update the Flood information to 2025.**
- 4. Add the minimum building setbacks on plat: 25' front yard, 7' side yard, 25' rear yard, and 15' side on street (corner lots) on the final plat.**
- 5. Install a residential buffer along the perimeter property line of the PUD property as required from the buffer options as provided in Section IX Landscape Regulations. The buffer option selected must be shown on the site plan when a building permit is requested for approval.**
- 6. As provided on the master plan, preserve the 25-foot natural buffer along the rear lot lines of those lots that border Cusseta Road. If a fence is proposed, then fence must be installed between the 25-foot buffer and residential home. Buffers must be shown on the site plan when building permit is requested.**
- 7. The cemetery must be protected.**

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

Mr. Mosley stated that the final testing was not complete and the lift station still needed some additional work before being accepted.

Mr. Parker stated that signatures could be held for these items.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Tom Penton
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

4. National Village SD, Phase 1E, 38 lots, Steve Timms-Ab Conner-Mike Maher, authorized representatives for Retirement Systems of Alabama, property owner, 3200 block Grand National Parkway.

Mr. Mosley presented the staff report to the Planning Commission for the request of final plat approval of the National Village Subdivision. Mr. Mosley stated that the preliminary plat proposal of 36 single-family home lots and two open space lots was approved by the Planning Commission in at the August 2024 meeting. Mr. Mosley stated that the lots meet the minium width and area requirements.

The Planning staff is recommending final plat approval subject to staff recommendations:

- 1. Install sidewalks on at least one side of all streets.**
- 2. Add walking trails and cart paths and label them pedestrian access easements across the open space Lots 37 and 38 to lin the adjacent Phase 1D subdivision to Phase 1E.**
- 3. Update Flood Information to 2025.**

4. Show sewer line easement and ensure the widths are correct. They do not currently align with the construction plans.

Mr. Parker provided the reports for the Engineering, Opelika Water, and Opelika Power Services. He also noted that road signs were not installed and as-builts had not yet been submitted. He explained that the Public Works Director would hold the signatures until such time as this had been completed.

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director John Sweatman
DISCUSSION:	Mr. Whittelsey asked if there would be golf cart access to the main road. Mr. Mosley stated yes.
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

5. The Hamlet at Wyndham Gates SD, Pod 10, Phase 1-C, 37 lots, Val Akins - Mike Maher, authorized representative for DFH Liberty, LLC, property owner, Hamlet Drive, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the request of final plat approval of The Hamlet at Wyndham Gates, Pod 10, Phase 1C. Mr. Mosley stated that 33 townhome lots were approved at the April and May 2025 Planning Commission meetings. Mike Maher of Precision Survey representing DFH Liberty, LLC, is proposing final plat approval of an additional 24 townhome lots. He stated that all the lots meet the minimum requirements for town home regulations and planned unit developments.

Staff recommends final approval subject to the following:

1. Add a note about the ownership, use, and maintenance of any open space and amenity lots.
2. Landscaping and sidewalks must be installed before a Certificate of Occupancy is issued.
3. A landscape plan for a townhome group must be provided when a building permit for a townhome group is requested.

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Mayor Gary Fuller
DISCUSSION	Mr. Sweatman: Asked who will be serving the water supply. Mr. Parker: Replied that there will be a master meter by the road.

AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE – Public Hearing

6. Hayes Eiford Samford Group, LLC, authorized representative for L.A.M.E LLC, property owner, 706 Geneva Street, C-2, GC-S zoning district, office building and eight condominiums.

(Mrs. Cannon left the meeting momentarily at 3:33 pm and turned the meeting over to Vice Chair John Sweatman)

Mr. Mosley presented the staff report to the Planning Commission for the conditional use request of eight dwelling units located at 706 Geneva Street. The applicant is Samford Group, representing LAME, LLC, the property owner. The property is currently undeveloped in the C-2 Gateway Corridor Secondary Zone, and is also in the Geneva Southside Historic District. He stated that the applicant is proposing to build an office building on the front part of the development, with eight individual units located in two buildings to the rear of the building. Access would be from a 24-foot access drive located on the southern property line. The residential development includes two buildings, each containing four units. Each unit would be approximately 1,540 square feet with a two-car carport attached at the rear. In the C-2 zoning district, a maximum of 16 dwelling units per acre are allowed; the proposed density (8 units on 46,000 sf lot) is 7.6 dwellings per acre. The eight-unit apartments and the office building (4,750 sf, building) comply with the maximum 40% lot area coverage allowed; the building covers 25 percent of the lot. The ISR allowed is 80 percent, it will be 63 percent. Mr. Mosley stated the Planning Staff previously commented that additional buffering needed to be provided. The applicant has added plantings around the railroad side as well as the north and south sides of the property.

Mr. Mosley stated that the question before the Planning Commission is the appropriateness of the proposal for the location.

Staff recommends approval subject to the following:

- 1. All elevations and materials shall be consistent with those approved by the HPC.**
- 2. All service utilities shall be underground.**
- 3. Any refuse bins shall be screened with materials that complement the buildings and approved by Opelika Environmental Services prior to installation.**
- 4. From the HPC Packet – Carport Details (in red text and photo shed roof)**
- 5. An association established for maintenance and ownership requirements of shared space.**
- 6. Correct the site plans to show the zoning as C-2, GC-S.**

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

Vice Chair Sweatman opened the public hearing.

Dusty Rozar, 802 Geneva Street, stated that the roadway is six feet from his property. He stated that he had a number of concerns: 1. The water runoff from the parking lot and where it would end up. 2. The exterior lighting. 3. The dumpster location being too close to his house. 4. The number of cars and the traffic next to his backyard and his child's play area.

Mr. Parker stated that he could address the drainage. He said that part of the requirements will be to submit a drainage plan for this site to the engineering department for review. He stated that they will probably add a detention area in the back of the property where the water will collect. The law states that the new property cannot add any more water than was previously there.

Mr. Penton asked if there are streetlights in the new plan.

Mr. Parker stated that the lights are not shown on the plan, but an access driveway does not require lighting.

Jessica Rozar stated that there is already an issue with groundwater. She stated that the subject's property is higher than her property and during significant rain events the water runs onto her property. She stated that she did not believe that 6-foot trees would be sufficient to shield lights from cars that would be coming and going in the parking lot next door.

Josh Mura, Samford Group, stated that the dumpster could be moved. He stated that they are following the ordinance for the landscape screen and are trying to create as much of a shield as possible. And lastly, he stated that the drainage and requirements that they have to meet should improve Ms. Rozar's existing drainage problem.

Vice Chair Sweatman closed the public hearing.

Mr. Whittlesey asked why they would not build a fence in addition to the landscaping.

Mr. Mosley stated there are three different primary residential buffers that are utilized in adjacent areas. First is a 20-foot undisturbed buffer. The second is the six-foot-wide double row of evergreen plantings. And the third is a single row of evergreen plantings and a fence. In most cases, the applicant is allowed to select which one they would want. However, it is up to the commission to determine whether a particular buffer would be required, or in some cases, if those buffers are not sufficient, an additional buffering component could be required. So that is something the commission could consider.

Mayor Fuller asked where the dumpster would be located.

Mr. Mosley stated the dumpster location is close to the railroad at the end of the drive. He stated a truck would have to back up to it or a front loader would need to be used.

Mr. Penton asked if what is being proposed is in keeping with the character of the neighboring area.

Councilman Allen asked for clarification that it had been stated that a fence could be added to the plan by the commission, and if so, when would that need to be done?

Mr. Mosley stated that the Commission would need to have a motion to amend the current approval to add a fence.

Mr. Whittelsey made a motion to amend the motion to include a 6' cedar or comparable fence and to move the dumpster pad east toward Geneva Street.

(Chair Cannon returned to the meeting)

Amendment to add an amendment to the current motion

RESULT: Passed
MOVER: Sheldon Whittelsey
SECONDER: Councilman Ward 1 Willie Allen
AYES: Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS: Chair Cannon, Councilwoman Ward 3 Whatley
ABSTAIN: None

Motion to approve conditional use as amended to include a fence and the moving of the dumpster pad.

RESULT: Passed
MOVER: Mayor Fuller
SECONDER: Councilman Ward 1 Allen
AYES: Whittelsey, Penton, Councilman Ward 1 Allen, Director Sweatman
NAYS: Mayor Fuller, Chair Cannon, Councilwoman Ward 3 Whatley
ABSTAIN: None

(Vice Chair Sweatman returned control of the meeting back to Chair Cannon.)

D. CONDITIONAL USE EXTENSION — Public hearing

7. Lee Tharp, Kadre Engineering, authorized representative for Terry McCollum, property owner, accessed at 20 Veterans Parkway, C-2, GC-P, 128 apartment units.

Mr. Mosley presented the staff report to the Planning Commission for the request for a conditional use extension to Lee Tharp, Kadre Engineering, authorized representative for Terry McCollum, the property owner. Mr. Mosley stated that conditional use was granted in October 2024 for a 124-unit cottage-style, multi-family development on 21.95 acres at 20 Veterans Parkway. The development is a mixture of single detached units, duplex units and townhome units. The development has a density of approximately 5.65 acres, three units per acre, 124 units and 3,500 square foot restaurant. It meets all minimum requirements for parking.

The Planning Staff is recommending an extension of the conditional use subject to conditions previously approved.

1. Provide a landscape plan based on the Landscape Regulations with base and parking lot points and plant material for the 20' landscape buffers along the north, east, and west property lines. A Gateway Corridor buffer along the east property line (Veterans Parkway) is required. Plant evergreen

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant conditional use extension approval with staff recommendations

RESULT: Passed

MOVER:	Councilman Ward 1 Willie Allen
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

E. AMENDMENT TO COMPREHENSIVE PLAN and REZONING - Public Hearing

8. (a) Amendment to Future Land Use Map, 2051 Highway 169, 48 acres, from a low density residential land use category to a general commercial land use category.

(b) Rezoning request, Antione Sr & Raven Harvis Living Trust, property owner, 2051 Highway 169, 48 acres, from R-1 to C-3

Mr. Mosley presented the staff report to the Planning Commission for a request for rezoning and amendment to the future land use of 2051 Highway 169 and South Uniroyal Road. This is a request from Antione and Raven Harvest Living Trust. The annexed land has an R-1 designation and the proposal is to amend and request to rezone to a C-3 designation, which is commercial. Mr. Mosley stated the property is on the edge of the city limits with the surrounding area a mixture of an existing C-3 zoned station, several retail locations and residential uses. He stated the applicant has proposed a future plan to move the family's moving company to the location, but the current use would be for storage.

Staff recommend a positive recommendation to City Council to approve the rezoning from R-1 to C-3 subject to the following:

1. No new building permit or permit for an addition to the existing 1,400 sf building allowed until public sewer is accessible to the 48 acres.

2. Any change in use that increases the demand for sanitary services requires a connection to the public sewer.

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

Chair Cannon opened the public hearing.

Antione Harvis, the property owner, stated that the property frontage will be used for parking of moving vans and cars.

Chair Cannon closed the public hearing.

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

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Councilman Ward 1 Willie Allen

DISCUSSION	Mr. Whittelsey asked where the closest sewer system was. Mr. Mosley answered that the closest sewer is near Crawford Road and would have to be brought down to the property upon development at their expense. Director Sweatman asked, with the change to C-3 would there be any changes to ingress or egress for commercial vehicles. Mr. Parker answered that there is not a distinction between commercial and non-commercial. If there is existing access, the state will grandfather it in.
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

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

RESULT:	Passed
MOVER:	Councilman Ward 1 - President Willie Allen
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

F. TEXT AMENDMENTS TO THE ZONING ORDINANCE — Public Hearing

9. (a) Section 7.3A - Revision of Minimum Lot Width in the C-1 zone
(b) Revision to Section 7.3. C. Use Categories (matrix table) to Package Liquor Store and Section 8.28.5 Package Liquor Store Standards for Use - A public hearing to consider a recommendation to the City Council on proposed amendment to the Zoning Ordinance

Mr. Mosley presented the staff report to the Planning Commission for the request of a text amendment. He stated that what is being requested is an amendment to section 7.3 A for the C-1 zone. Currently, the minimum requirement for lots in C-1 zone for the lot width is 60ft. He shared an example of the downtown area where the range in sizes of lots were from 12 ft, to 25 ft and up to 100 ft. He explained that this creates an issue by making most of the lots non-conforming. He further stated that, much like the way our downtown is handled, most cities will set a minimum lot width to zero. He explained the first part of the text amendment is a request to change lot size restrictions.

The second part of the text amendment would make changes to package liquor stores in the Gateway Corridors. Currently, package liquor stores are not allowed in any of the Gateway corridors. However, there are frequent requests to modify this. The text amendment would allow for package liquor stores in the Gateway Corridor under conditional use with additional standards.

Use Standards and Dispersal Requirements

1. No package liquor store shall be permitted within a radius of 1,500 feet of any other package liquor store. This distance shall be measured from door to door.
2. The minimum gross floor space for the use shall be 3,000 square feet. At least 50% of this shall be showroom or sales floor.
3. No sales shall be conducted through a walk-up window or drive-through.

4. Burglar bars, steel gates and steel-roll down doors or shutters are prohibited on the exterior of a structure when visible from any public or private street. Interior security burglar bars, steel gates and roll down doors shall allow 80 percent visibility into the tenant space and shall be fully retractable during business hours of operation.

Mr. Mosley stated that staff was recommending approval of both text amendments, but they could address them individually.

Chair Cannon opened the public hearing.

Robin Weyant, 809 Shelly Avenue, stated that she did not want to have package liquor stores located in high traffic areas. She stated that she believes the distance between package liquor stores should be 1 mile instead of 1,500 feet.

Chair Cannon closed the public hearing

Motion to table the text amendment for Section 7.3A Revision of Minimum Lot Width in the C-1 zone

RESULT:	Passed
MOVER:	Councilman Ward 1 Willie Allen
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

Motion to table the text amendment for Section 8.28.5 Package Liquor Store Standards for Use

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Councilwoman Ward 3 Whatley
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

V. OLD BUSINESS

G. PLAT (Preliminary Only) — Public Hearing

10. Willow Park SD, 153 lots, Hayes Eiford, Samford Group, LLC, authorized representative for House Mountain LLC, property owner, 1150 block South Uniroyal Road. *(This item was tabled at August 26th PC meeting.)*

This item was withdrawn by the applicant.

11. Bridgewater Community SD, 541 lots, Hayes Eiford-Samford Group LLC, authorized representative for Jim Freeman, property owner, Logan Drive, preliminary approval. *(This item tabled at August 26th PC meeting.)*

Mr. Mosley presented the staff report to the Planning Commission for the request of preliminary plat approval for Bridgewater Community Subdivision. Mr. Mosley stated that

updated plans have been submitted. The largest issue from past Planning Commission meetings was that the subdivision did not have access to Columbus Parkway. He stated that in looking at the new plans submitted, the previous requirements have been met.

Planning Staff recommends preliminary plat approval with the following recommendations

1. Install underground utilities.
2. Install sidewalks on both sides of all public streets. Extend said sidewalks to open space lots/areas that are nearest to street sidewalks providing access from street sidewalks to open space areas.
3. Exterior materials of all dwelling units must meet the exterior “Materials and Cladding Requirements of Section 7.6 Gateway Corridor District.
4. Add a note on final plat providing minimum setbacks for 50’ and 65’ single family lots and add the maximum floor area ratio (FAR) for the 50’ and 65’ lots.
5. The minimum front setback and lot width must be met at the front property line or met at

the minimum front setback line of all residential lots.

6. ~~Revise the following 50’ lots so the minimum 5,500 square foot lot size is met: Lot 423, 433, 450, 455, 456, 457, 458, 459, 460, 472, 473, 474, 475, 476, 480. (These lots range from 4,554 to 5,366 sf.)~~ **All 50’ lots meet the 5,500 sf minimum lot size.**
7. ~~Revise the following 65’ lots so the minimum 7,250 square foot lot size is met: Lot 86, 87, 96, 162.~~ **All 65’ lots meet the 7,250-sf minimum lot size.**
8. Add note on final plat, that the developer is responsible for managing and maintaining the 16 open space lots (Parcel 1000 to **Parcel 1015**) until a homeowner’s association is established to continue maintenance of said lots.
9. Add note on final plat providing the uses allowed on open space lots (Parcels 1000 to **1015**)
10. Add a note on final plat that a minimum of one street tree for each single-family home lot is required. At least two trees are required for corner lots, one tree for each street. Street trees must be planted on private property unless right-of-way permission from City department is granted.
11. On final plat, provide the latest flood zone information from the FEMA updates.
12. Provide on final plat a location map showing relationship of subdivision to the surrounding area (vicinity map).
13. Provide the name and address of the owner/developer and the designee of the project.
14. Provide the names of all adjacent subdivisions.
15. Provide the names and addresses of all adjoining property owners and include owners across adjoining roads.
16. ~~Provide access to Lot 1002.~~ **[Access provided to Lot 1002 on revised plat]**
17. Amenities must be installed according to master plan and installed at the same time when the adjacent phase is constructed. During amenity installation, also install the walking trail.
18. Access shall be required according to the master development plan unless the traffic impact study shows more stringent requirements.
19. ~~Buffers shall be required along Lots 140 to 143 and Lots 162 to 165.~~ **Lots 340 to 342 and Lots 438, 439, and 441**
20. Lots along the entry and not part of the master plan are being modified and the lots need to be shown through the plat.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Mayor Gary Fuller
DISCUSSION:	Mr. Whittlesey asked if Bridgwater Road and Longwood Drive needed to be built before the development could be built. Mr. Mosley stated that the parkway would have to be built before the first 30 lots. Once they get to 31 lots, the secondary means of emergency access. 150 lots requires the secondary access must become full road access.
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

H. CONDITIONAL USE — Public Hearing

12. Dave King, authorized representative of King Automobiles, Inc., Northwest corner of Dunlop Drive & Hwy 280, C-3, GC-P, Commercial retail. *(This item was tabled at the September 23rd Planning Commission meeting.)*

No action and the item remains on the table for the November 18, 2025 meeting.

13. Dave King, authorized representative of King Automobiles, Inc., Front corner of Highway 280 Northwest corner of Dunlop Drive and Hwy 280, C-3, GC-P, Commercial retail. *(This item was tabled at the September 23rd Planning Commission meeting.)*

No action and the item remains on the table for the November 18, 2025 meeting.

I. AMENDMENT TO COMPREHENSIVE PLAN and REZONING – Public Hearing

14. (a) Amendment to Future Land Use Map, 1300 block Crawford Road, 73.3 acres, Crawford Road, from a low density residential land use category to a mixed-use land use category.
(b) Rezoning request, Hayes Eiford, Samford Group, LLC, authorized representative for David N. Rhyne, property owner, 1300 block Crawford Road, 73.3 acres, from R-1 to PUD (Crawford Reserve PUD). *(This item was tabled at the August 26th PC meeting.)*

No action and these items remain on the table for the November 18, 2025 meeting.

VI. OTHER BUSINESS

Approve dates for November and December Planning Commission meetings.

Mr. Mosley stated that, due to upcoming holidays in November and December, the Planning Staff recommend changing the Planning Commission meetings. He proposed moving the November 25, 2025 meeting to November 18, 2025, and the December 23, 2025 meeting to December 16, 2025.

Motion to approve

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

VII. ADJOURN

Motion to adjourn at 4:30 p.m.

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Mayor Gary Fuller
AYES:	Chair Cannon, Councilwoman Ward 3 Whatley, Whittelsey, Penton, Mayor Fuller, Councilman Ward 1 Allen, Director Sweatman
NAYS:	None
ABSTAIN:	None

_____**Chair Lucinda Cannon**

_____**Matt Mosley**

Agenda Item

A-1

Bay Court Subdivision



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Bay Court
 PROPERTY OWNER: Three Keys Properties, LLC
 APPLICANT/AUTHORIZED REPRESENTATIVE: Emily Key
 MAILING ADDRESS: 301 1315 Rocky Brook Rd, Opelika, AL 36801
 PHONE NUMBER: 912-322-1699 FAX NUMBER: _____
 EMAIL ADDRESS: EJK0006@gmail.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: Bay Court SubdivisionCurrent Land Use: N/ACurrent Zoning: R5Proposed use of the Subdivision: residential

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

Number of Lots: 5 x \$3.00 = \$ 15.00

Number of APO: 7 x \$7.00 = \$ 49.00
 (Adjacent Property Owners) 36.00

Fee: 60 - \$75.00TOTAL = 139.00PAID 126.00

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Bay Court 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) EMILY KEY

DATE

10-27-25

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 10-27-25

STATE OF ALABAMA
COUNTY OF LEE

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

that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

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

Notary Public

My Commission Expires: _____

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: November 18, 2025

Subdivision: Bay Court SD

Agenda Item #: A-1

Action Requested: Preliminary and Final approval

Location of Property: Bay Court and Ray Court

Property Owner(s): Three Keys Properties LLC
Emily Keys, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-5

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0088G –No portion of the property is in a designated flood zone per FEMA panel 11-2-2011.

Staff Comments:

The applicant is requesting preliminary and final approval for a 5-lot subdivision in an R-5 zoning district. The five lots exceed the minimum 7,500 sf lot size and 60-foot lot width required for the R-5 zone. The lots range from 7,500 sf to 7,563 sf. Three lots are 66 feet wide and two lots 99 feet wide. Two lots are accessed from Bay Court and three lots accessed from Ray Avenue. The applicant is a building contractor. A single-family home is proposed for each lot.

Two lots on the plat are accessed from Bay Court. Bay Court right-of-way is 1,100 feet long and dead-ends into a 13.5-acre lot owned by the city. (A cell tower is on the City property.) Bay Court's right-of-way width is 30 feet for about 520 feet, and then the width varies from 60' to 75' for 580 feet to the end of the right of way. The right-of-way asphalt width is 20 feet wide for about 680 feet, then asphalt is 10 feet wide to the end of right-of-way. At the end of Bay Court, the right-of-way is 75 feet wide. Thirteen single-family homes exist on Bay Court. About 6 homes are occupied and 7 homes are vacant and need repairs. The applicant owns 11 single family homes on Bay Court. Most of the homes are under repair.

Three lots on the plat are accessed from Ray Avenue. Ray Avenue right of way is 20 feet wide and 690 feet long. Ray Avenue asphalt width is 10 feet for about 300 feet. The remaining 390 feet of the 20-foot-wide Ray Court right of way is unimproved. Two existing homes are on Ray Avenue.

There are safety concerns and vehicle maneuvering challenges with the narrow 10' asphalt street on the Ray Avenue 20' right-of-way. Ray Avenue at 10 feet wide will delay emergency vehicle response time especially for a larger fire truck. Bay Court's 20-foot asphalt width on a 30-foot right-of-way, and a short diameter cul-de-sac turn around is adequate for average size and full-size vehicles to navigate (and perhaps some larger trucks), but the cul de sac is a challenge for a larger fire truck.

There is no turn around at the end of Ray Avenue. Ray Avenue's ten-foot wide asphalt street dead ends into the adjacent property. Ray Avenue has no cul de sac or secondary access to turn around. Residential garbage trucks are large and may not be able to drive on Ray Avenue safely. Homeowners on Ray Avenue may be required to bring their trash to the end of the street for pick-up (i.e., intersection of Ray Avenue & Lee Avenue). Ray Avenue needs a turn around and a wider asphalt street.

This subdivision that adds two lots on Bay Court and three lots on Ray Avenue is considered minimal concerning traffic volume, but the narrow street width and lack of turnaround (especially on Ray Avenue) is a safety concern.

Staff recommends preliminary plat approval only at this time subject to the following improvements provided by the applicant:

- 1. Install hammer head turn around at the end of Bay Court and Ray Avenue so vehicles can maneuver & turn around especially for larger vehicles such as fire trucks and garage trucks that need more space.**
- 2. Increase the asphalt width of Ray Avenue to at least 20 feet.**

Engineering Department Report

The Subdivision on Ray Avenue is on a dedicated Right-of-Way (ROW) with an unimproved street. The applicant will be allowed to construct a private driveway, not to be maintained by the City to access Lots 3-C, 3-D, and 3-E. 10-ft of additional ROW is dedicated on the south side of Ray Avenue as required by the City.

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

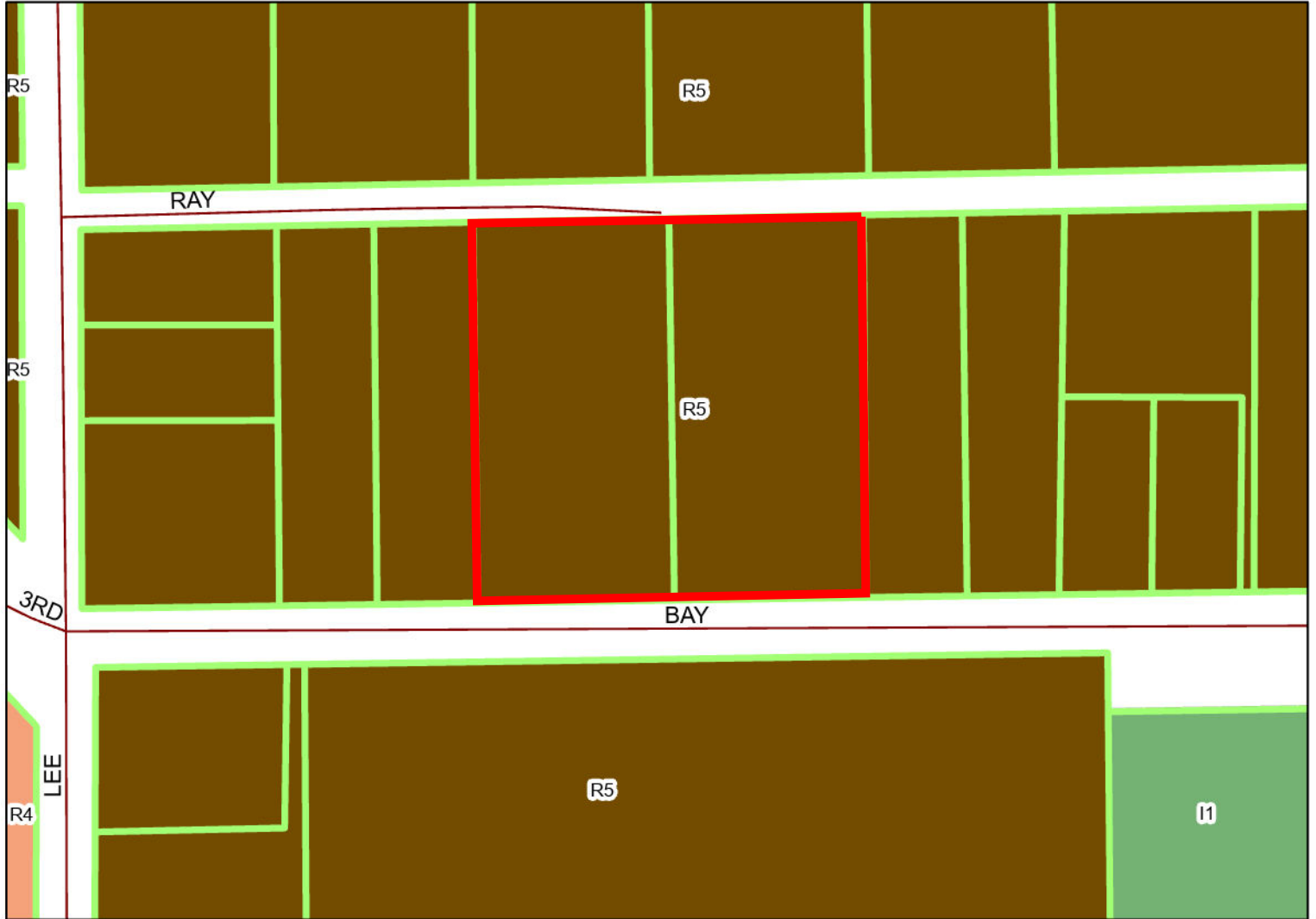
Opelika Water Report

Water is available from a 6" main on the south side of Bay Court. There is no water main on Ray Ave.

Opelika Power Services Report

This property is in the Opelika Power service territory.

BAY COURT SUBDIVISION BAY COURT PRELIMINARY PLAT, A-1

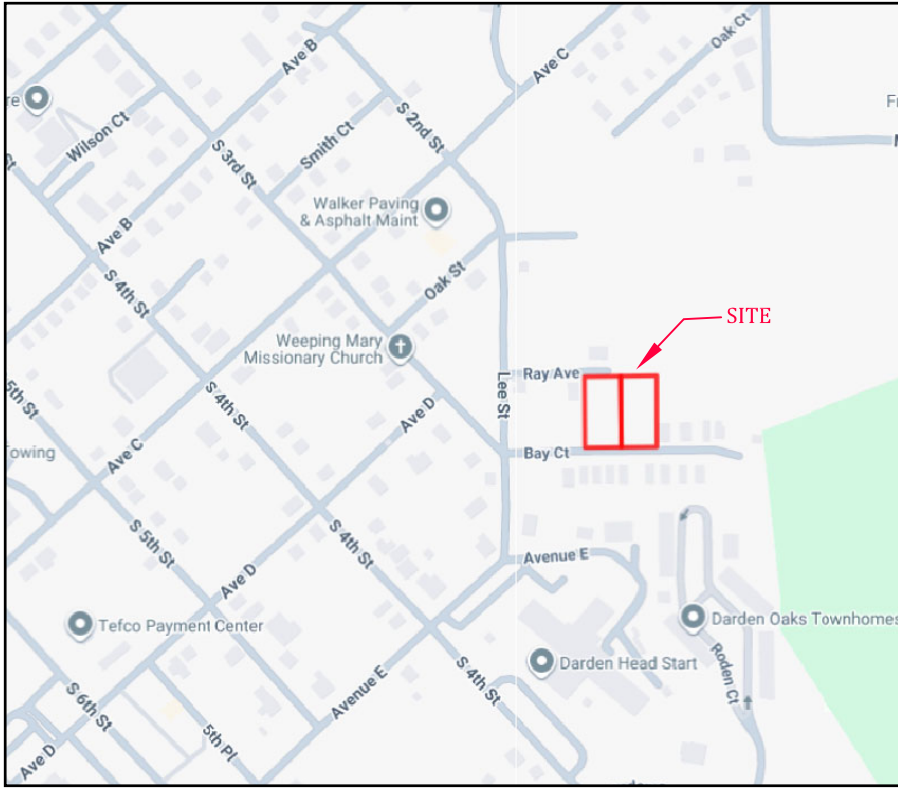


The applicant is requesting preliminary and final plat approval for 5 lots. The property is zoned R-5 (high density residential).



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 verification by an independent professional qualified to verify such



VICINITY MAP

SURVEYOR'S CERTIFICATE

I, Travis Carter, a Licensed Professional Land Surveyor in the State of Alabama, for Hare Environmental, state that this is a plat of an actual field survey of lots, inclusive of (Bay Court Subdivision), more particularly described as shown hereon.

I further state that this survey and plat meets the Current Standards of Practice as set forth by the Alabama State Board of Licensure for Professional Engineers and Land Surveyors in Rule 330-X-15.05 (c) on March 31, 1990 to the best of my knowledge, information, and belief.

This the _____ day of _____, 2025

Travis Carter, PLS #23000

OWNER'S DEDICATION

I, an authorized agent of Three Keys Properties, LLC, the owner(s) of said lands surveyed by Travis Carter, do hereby certify that title was and is vested in said owner(s) and join In the foregoing statement made by said Travis Carter, and as stated in Code of Alabama 1975, § 35-2-50 et seq, do hereby certify that it was and is my (our) intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

Signed and sealed in the presence of:

Authorized Agent _____ Date _____

ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF _____

I, _____, Notary Public in and for said County, in said State, hereby certify that _____, whose name(s) is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the content of the instrument, executed the same voluntarily, GIVEN under my hand and official seal this ____ day of _____, 20____.

NOTARY PUBLIC

OPELIKA SIGNATURES

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 Water Board, Opelika, Alabama:

Opelika Water Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

Approved by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

SURVEY NOTES:

- References: Plat Book 2, Page 9; Deed Book 2370 Page 179; Deed Book 2571, Page 604; Deed Book 2245, Page 382; Deed Book 2245, Page 383; Deed Book _____ Page _____; Deed Book _____ Page _____
- Bearings based on State Plane Coordinate System, NAD 83 (2011), Alabama East.
- An easement shall be granted to the City of Opelika and to any utility companies serving the City of Opelika for the purpose for 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.
- No portion of this lot lies within a designated flood zone per FEMA firm panel 01081C0088G Dated 11-2-2011.
- The purpose of this survey is to create (5) new parcels from (2) existing parcels.
- Easement notes: Easements are privately maintained. All structures, including fences, are prohibited on easements. Access to easements shall not be restricted.
- All improvements are not shown.
- There was no attempt in the field to determine the location of possible encroachments beneath the surface.
- This survey was prepared without the benefit of an attorney's title opinion or a title commitment. The surveyor's review of public records was limited solely to matters influencing the boundaries of the subject property. Additional items of record—such as conveyances, easements, or rights-of-way—that may affect the property's title could exist and may not be known to the surveyor or reflected in this survey.

SITE DATA:

Total Acreage = 37,627.60 SF± / 0.86 AC±
of lots = 5
Smallest lot size: 7,500 SF± / 0.17 AC±

ZONING & SETBACKS:

Zone = R5
Front Setback = 25'
Rear Setback = 20'
Side Setback = 10'



Address: 7613 School Street Valley, AL 36854
Phone: 334-654-9951 / 706-773-7962

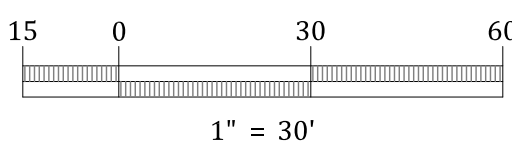
PROJECT INFORMATON

Project #: 25.142	
Survey Date: 10/12/2025	Drawing Date: 10/16/2025
Draftsman: GBH	
Owner: Three Keys Properties, LLC.	
Owner's Address: 1315 Rocky Brook Rd Opelika, AL 36801	

Bay Court Subdivision

Redivision of Lots 3 & 4, Block 239, Totten Map Located in Section 8, Township 19 North, Range 27 East

GRAPHIC SCALE



LEGEND

○	Iron Pin Found	—○—	N/F	Now or Formerly
●	Iron Pin Set (1/2" RBC - LSCA50471)	○	Chainlink Fence	Chainlink Fence
△	Calculated Point	Ⓢ	Sewer Manhole	Sewer Manhole
CTP	Crimped Top Pipe			
OTP	Open Top Pipe			
RBC	Rebar & Cap			
R/W	Right of Way			
—w—	Water Line (Approximate)			



Agenda Item
B-2
CU-Neos Church



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 809 1st Ave, unit A and B

PROPERTY OWNER: V. King Sun, INC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Rudy Sardinas

MAILING ADDRESS: 2696 Lee Rd 183 Opelika AL 36804

PHONE NUMBER: 334 740 8704 FAX NUMBER: —

EMAIL ADDRESS: Rudy@neoschurch.org

PARCEL INFORMATION

Project name: Neos church, cafe' buildout Address/Location: 809 1st Ave

Current Land Use: _____ Current Zoning: _____

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

Description of Proposed Use: build out for church gathering and cafe/cowork space to operate during the week.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Rudy Sardinas, being owner of the property which is the subject of this conditional use application hereby authorize Rudy Sardinas, 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 policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

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

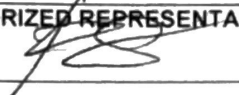
- 1) How is the proposed use appropriate in the location for which it is proposed? Moving into the warehouse district allows for additional work space / community space in that area of downtown. the church will help bring additional business to the surrounding restaurants and retail shops
- 2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? NO, the main / or more use of street parking will occur when most businesses are closed. church lets out just as restaurants and retail open.
- 3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? We will be sure to contact and make arrangements with surrounding businesses. so that we all serve each other and our city well.

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 _____

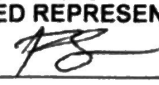
CERTIFICATION

I, Rudy Sardinas, 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: 10/27/25
(PRINT NAME) Rudy Sardinas	

STATEMENT OF UNDERSTANDING

I, Rudy Sardinas (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: 10/27/25
(PRINT NAME) Rudy Sardinas	

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	November 18, 2025
Agenda Item #:	B-2
Action Requested:	Conditional Use – Neos Church
Location of Property:	809 1 st Avenue
Property Owner(s):	Viking Sun, Inc. Rudy Sardinas authorized representative
Current Land Use:	Commercial building
Current Zoning:	C-1
Surrounding Zoning Districts And Land Uses:	North C-2 Office and Episcopal Church South C-1 Commercial, Smith T Building Supply West C-3 Commercial, Vacant building East R-4 Parking lot

Proposal

The applicant is requesting conditional use approval for a church ‘Neos Church’ to occupy an existing building at 809 1st Avenue. The Zoning Ordinance requires conditional use approval for a church in all zoning districts. The church is non-denominational. The church will occupy a 4,985 square foot building located in the C-1 zone (Downtown district). If conditional use approval is granted, then renovations will take place so the building meets building & fire code and Historic District requirements. Neos Church was located at 1201 South Uniroyal Road in the Auburn-Opelika Seventh Day Adventist Church.

At the 1st Avenue location, Neos Church will have two meetings a week: Sunday service at 9:15 AM and Wednesday service 6:30 pm. During the work week, a public coffee shop and co-workspace will be available for church members as well as the public. Coffee shops and cafes are outright allowed in the C-1 zone.

The church sanctuary area will hold a maximum of 100 people. The church has 60 members. In the

C-1 downtown zoning district there are no requirements for minimum number of parking spaces¹. A private parking lot for about 13 vehicles is adjacent to the church property. They will also be able to use on street parking with church services occurring outside peak usage downtown. There are no landscape requirements in the downtown area.

Recommendation

Staff believes the proposed church, coffee shop, and co-workspace use is appropriate in the C-1 zone. The church could encourage positive social activity in the downtown area. Also, the public coffee shop and co-workspace area during the work week may encourage economic activity in the downtown area. The mixed use of church, coffee shop, and co-workspace may prove to be an asset to the C-1 zone. Staff recommends conditional use approval as submitted.

Engineering Department Report

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

Opelika Water Report

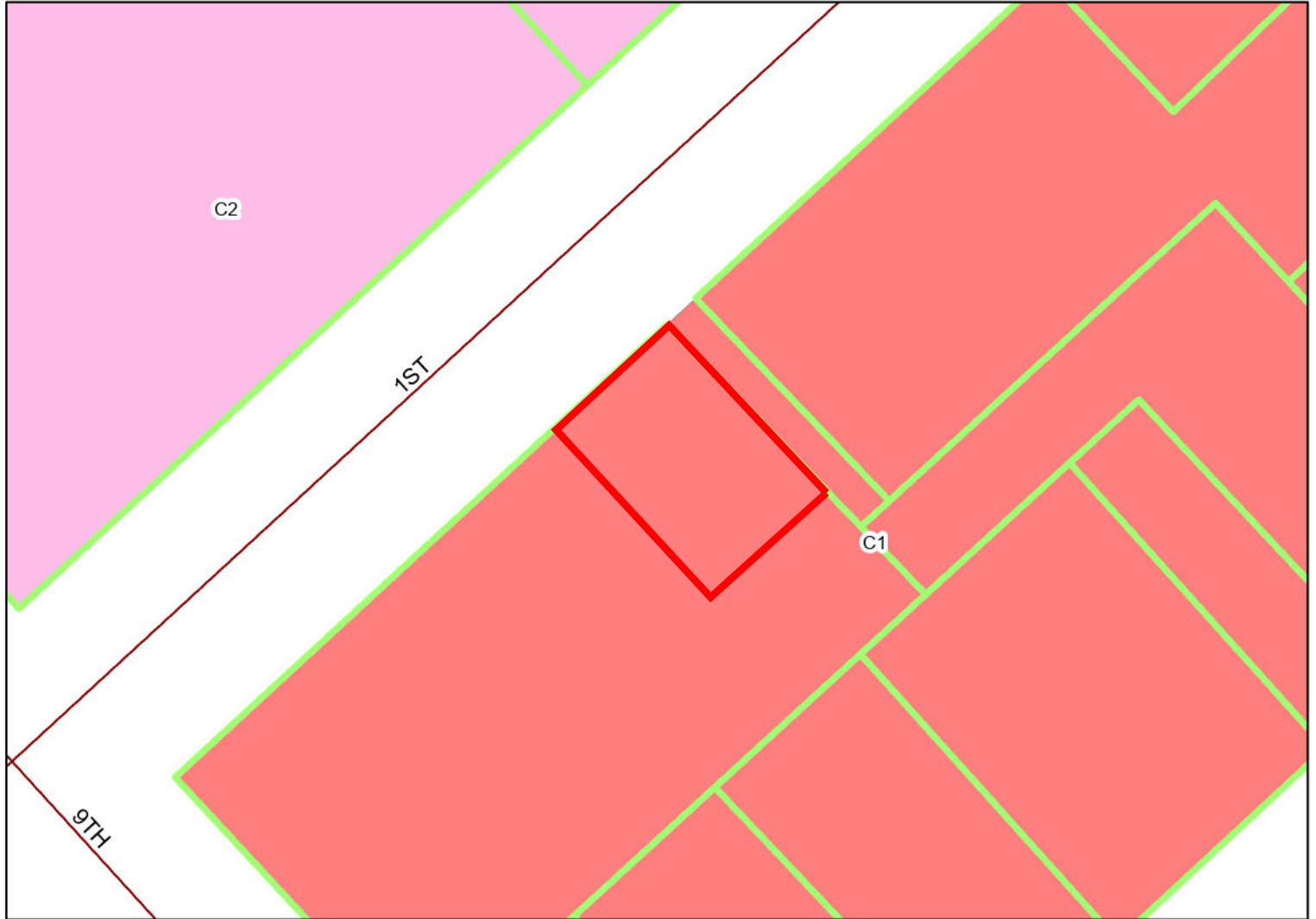
There is an existing 2" copper service to this site. A multimeter vault will need to be installed to service this building.

Opelika Power Services Report

This property is in the Opelika Power service territory.

¹ Minimum parking spaces requirement for a church in other zoning districts is 1 parking space for every 4 persons at maximum capacity of the church sanctuary.

**NEOS CHURCH CAFE/COWORK SPACE
809 1ST AVENUE
CONDITIONAL USE, B-2**

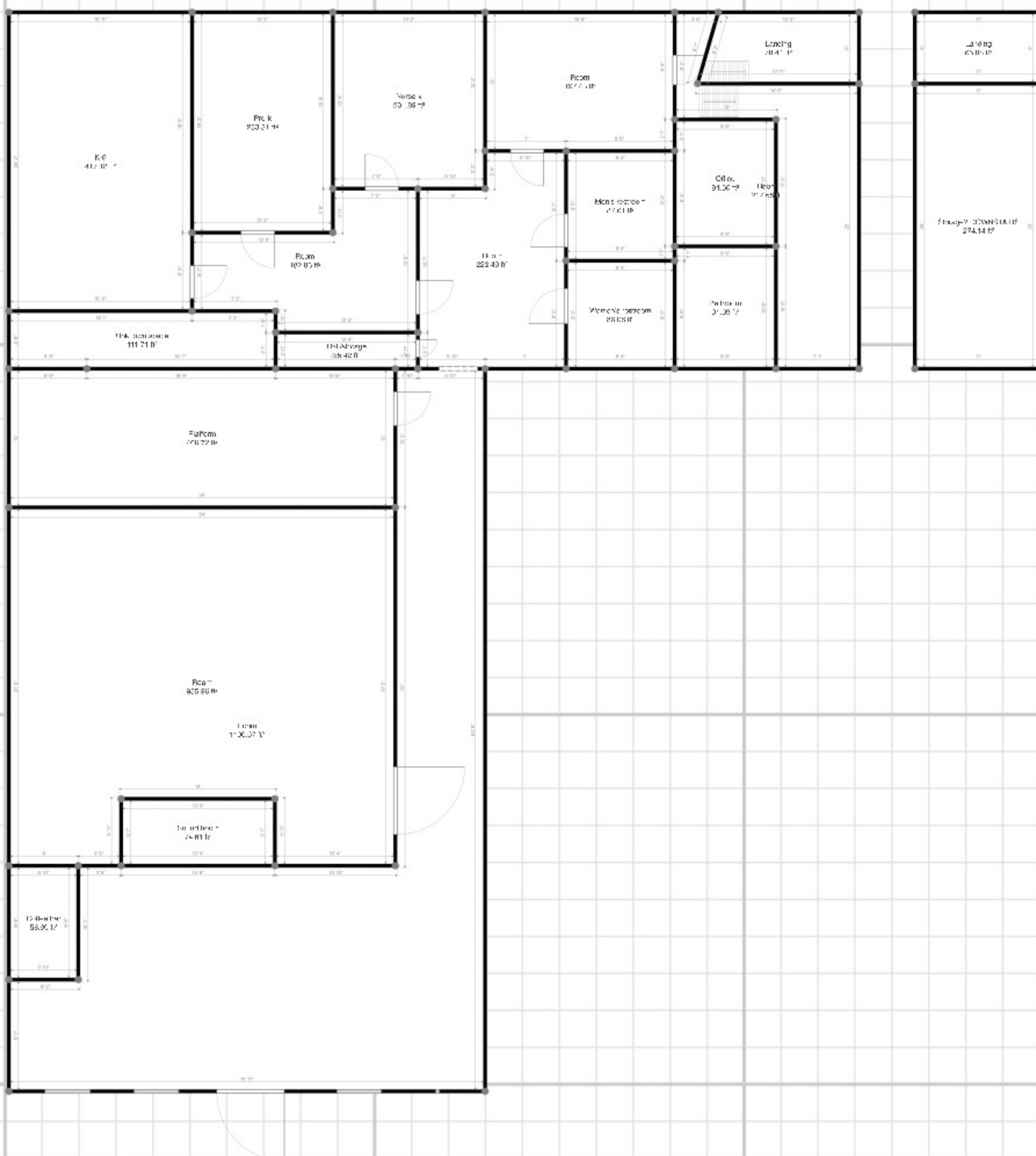


The applicant is requesting approval for a church with a cafe and cowork space during the week. The property is zoned C-1(downtown district).



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 verification by an independent professional qualified to verify such







**MAKE HEAVEN
CROWDED**



Agenda Item

B-3

CU-Society Hill Apartments



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 2900 Society Hill Road

PROPERTY OWNER: Opelika 26, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Foresite Group, LLC

MAILING ADDRESS: 2301 Ogletree Village Lane, Suite 200

PHONE NUMBER: (334) 887-6064 **FAX NUMBER:** (770) 368-1944

EMAIL ADDRESS: bbasquln@fg-inc.net

PARCEL INFORMATION

Project name: Society Hill Apartments Address/Location: 2900 Society Hill Road

Current Land Use: Vacant Current Zoning: C-2

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

Description of Proposed Use: Proposed Apartment Development (265 Units)

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Opelika 26, LLC, being owner of the property which is the subject of this conditional use application hereby authorize Foresite Group, LLC, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

See separate authorization to act as Applicant form.

Property Owner's Signature: _____ Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

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

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

Notary Public

My Commission Expires: _____

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.

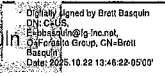
- 1) How is the proposed use appropriate in the location for which it is proposed? Apartment are a good transitional use between commercial/entertainment and the existing uses along Society Hill Road
- 2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? There is no impact to adjacent properties as a result of this proposed development.
- 3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? There are no known adverse impacts to adjacent properties, character of the neighborhood, traffic conditions or public infrastructure.

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, Brett Basquin, 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:	Brett Basquin 	DATE:
(PRINT NAME) Brett Basquin		

STATEMENT OF UNDERSTANDING

I, Brett Basquin (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:	Brett Basquin 	DATE:
(PRINT NAME) Brett Basquin		

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 18, 2025

Agenda Item #: B-3

Action Requested: Revised Conditional Use – Apartments - 265 units.

Location of Property: 3310 Society Hill Road

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

Current Land Use: Undeveloped

Current Zoning: C-2

Surrounding Zoning Districts

And Land Uses:	North R-1/C-2	Undeveloped/Proposed Townhomes
	South R-1	Residential
	East PUD	Opelika-Auburn News (Wyndham PUD)
	West PUD	Capps Landing Development (Golf Suites)

The applicant is requesting conditional use approval for a 265-unit apartment development on 27.31 acres. A similar development was approved last November with 309 units. The proposed development will have 159 1-bedroom units and 106 2-bedroom units. The development has 525 feet of frontage on the west side of Society Hill Road. Two points of ingress and egress are shown on the site plan, one from Society Hill Road and a potential connection to an extension of Freddie Way. The apartment amenities include a clubhouse next to a swimming pool, dog spa, and a dog park to the rear.

The proposed development consists of eight apartment buildings with a total of 265 rental units. In a C-2 zone the allowable density is 16 units per acre. The proposed density is 9.8 dwelling units per acre. The surrounding properties are zoned R-1, C-2 and PUD. The Opelika 2040 plans shows this area as Mixed Residential. The Housing Framework in the plan notes that this area is an area proposed for increased density. The proposed development is consistent with the comprehensive plan.

The apartment buildings' exterior materials are noted to be cement board siding, rock, board and batten with asphalt shingle roof, and some standing seam metal roofs. The previous approval required the development meet the Gateway Corridor requirements and should include a significant use of masonry materials. Photos of apartment elevations are attached and buildings should be substantially similar in

terms of materials, roofline, fenestration, and other design features. The buildings are designed with the topography, so many of the buildings will be three stories on one side and four on the other. The property meets the maximum 40 percent maximum building area. The four-story buildings do not exceed the maximum building height of 75 feet. The property meets the setback requirements for a C-2 zone.

This property connects to The Landing commercial development. The connection road should be a paved road even if the road is only used by residents or for public safety access. Sidewalks are shown in front of all apartment buildings. A sidewalk is shown connected to the clubhouse area. There are currently only 22 parking spaces shown at the amenity, which means that most people would need to walk to the amenity.

The development is requesting to reduce the overall amount of parking required. The minimum off-street parking requirements are 530 parking spaces required and they are providing 445 spaces. The applicant was granted a variance from the Zoning Board of Adjustments to reduce the parking spaces provided to 1.1 parking spaces per bedroom and 10 percent for visitors. The applicant is providing parking consistent with the ZBA's variance. Due to the number of one-bedroom units and the high number of single person households in rental units, it is unlikely that parking usage would exceed available spaces.

The site plan does show a trash facility located near the main entrance. The service of this facility needs to be coordinated with Opelika Environmental Services. These containers need to be enclosed and screened with corridor approved materials and landscaping.

Based on the size the development is required to have 1640 base landscaping points and 445 parking space points are required. A residential buffer is required along the northeast and south property lines to buffer the adjacent properties in a R-1 residential zoning district from the multi-family development. A substantial part of these boundaries are not planned to be disturbed and may be able to use the 20 ft undisturbed buffer. This will need to be noted on the landscape plan. The buffer must consist of the options provided in the Landscape Regulations. The landscape plan shows a total of 752 parking lot points (one point per parking space is required). The size of trees and shrubs on landscape plans must meet the minimum size requirements as provided in the Landscape Regulation.

Overall Planning staff believe the proposed use and site plan are consistent with the future land use plan and the zoning ordinance.

Staff recommends approval subject to the following:

- 1. Add residential buffers on the northeast and south sides per the requirements of the zoning ordinance. If an undisturbed buffer is used, additional planting will need to be added to insure the screening is appropriate.**
- 2. All four sides of the development we recommend meet the Gateway Corridor cladding requirements with use of masonry consistent with the provided elevations. Buildings shall be substantially similar in terms of materials, roofline, fenestration, and other design features with the provided elevations.**
- 3. Garbage facilities must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure.**
- 4. All utilities shall be underground except overhead required transmission lines.**
- 5. All mechanical and hvac units shall be screened from the public right-of-way.**
- 6. Any gates will need to be coordinated and approved by Opelika public safety departments for emergency entry.**
- 7. At least two entry points meeting life safety codes shall be required. Both drives shall provide access for residents.**

Engineering Department Report

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

The access improvements and turn lanes on Society Hill Road are approved as shown in the site plan.

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

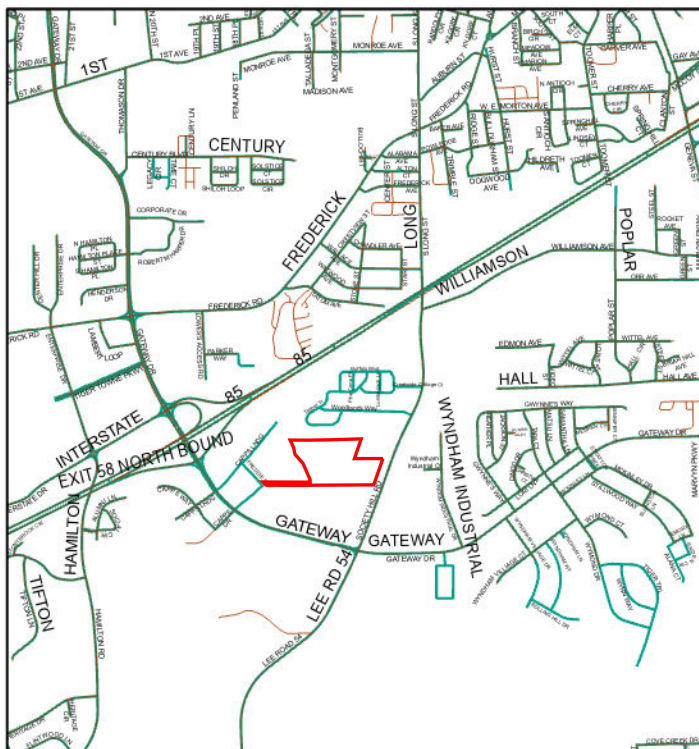
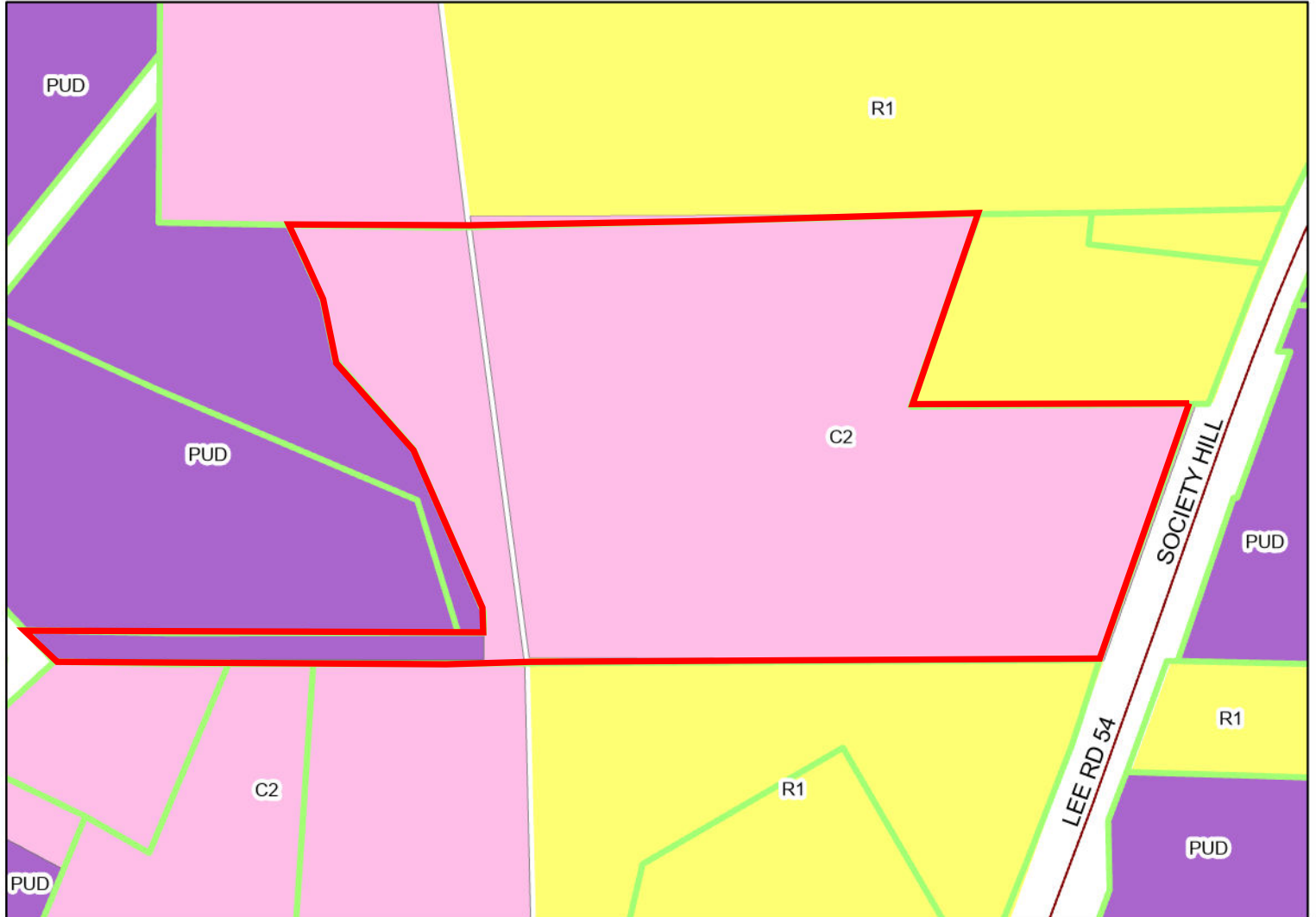
Opelika Water Report

Opelika Water: Water service is available from the 16" main along Society Hill Road. Due to the number of total units, it is recommended that the development install a second feed from Freddy Way (Capps Landing) along the proposed private drive for water redundancy.

Opelika Power Services Report

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

SOCIETY HILL APARTMENTS 2900 SOCIETY HILL ROAD CONDITIONAL USE,

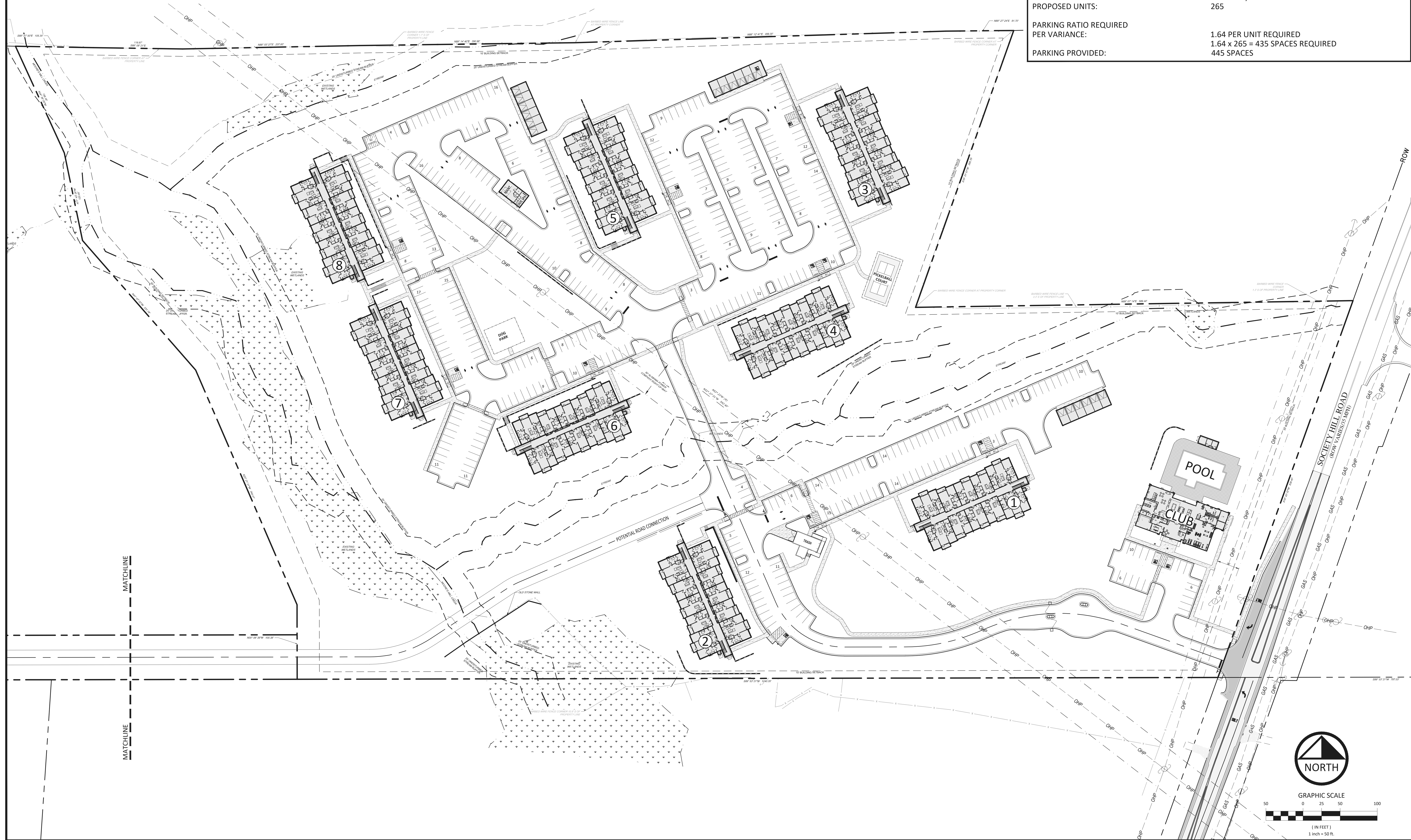


The applicant is requesting conditional use approval for 265 apartment units on 26.6 acres. The property is zoned C-2 (office-commercial),



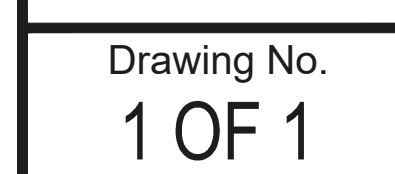
Subject Property

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PARKING PROVIDED:

445 SPACES



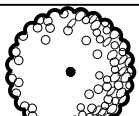
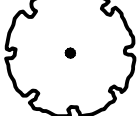
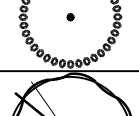
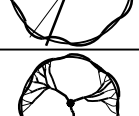
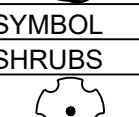
GENERAL LANDSCAPE NOTES:

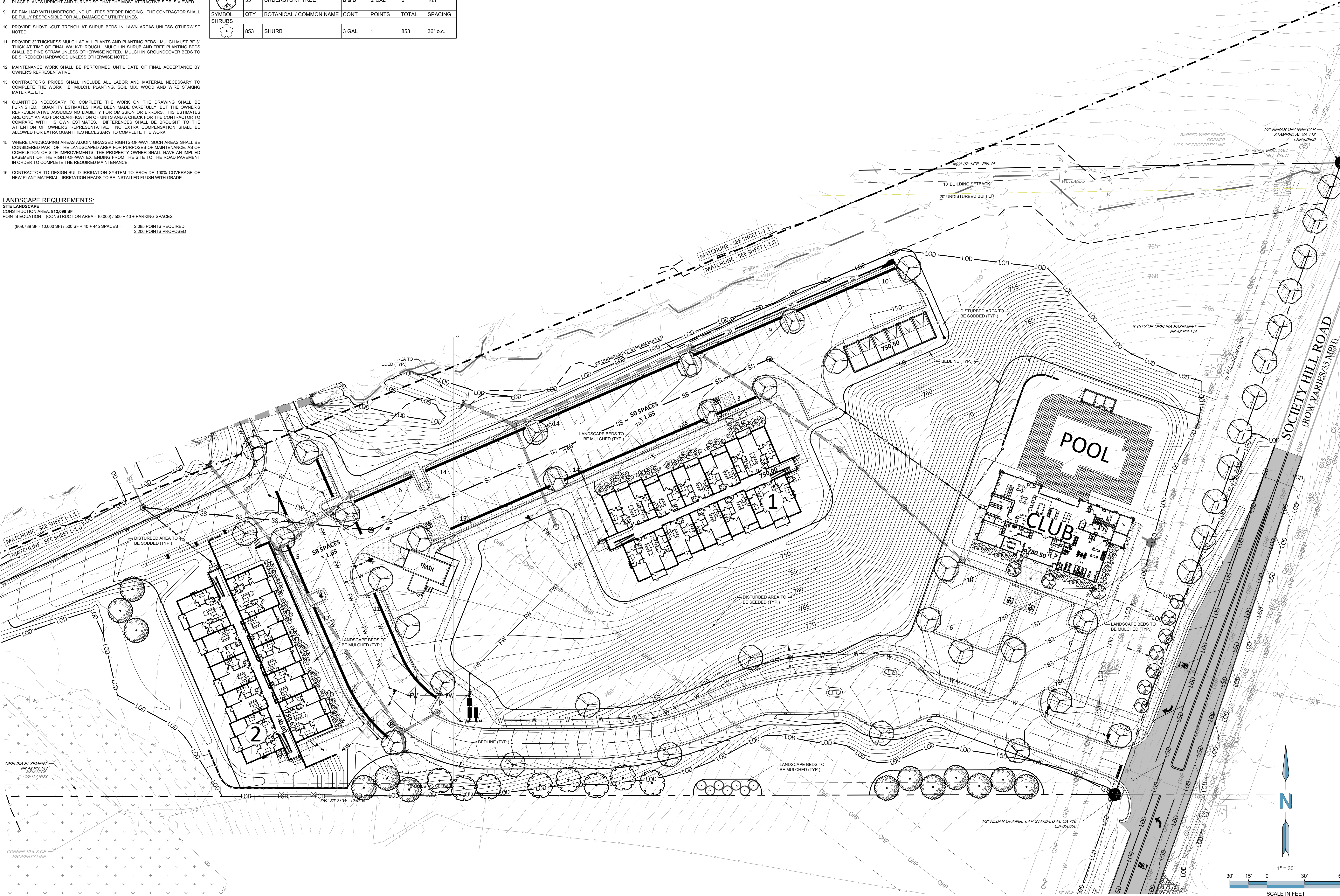
1. WARRANTY: ALL PLANTS SHALL BE WARRANTED TO REMAIN ALIVE, HEALTHY, AND IN THRIVING CONDITION FOR A PERIOD OF ONE YEAR FROM FINAL ACCEPTANCE
2. PLANTS SHALL MEET DOT SPECIFICATIONS AND AMERICAN STANDARD FOR NURSERY STOCK STANDARDS
3. PLANTS SHALL BE SPECIMEN QUALITY. PLANTS SHALL BE SOUND, HEALTHY, AND VIGOROUS, WELL BRANCHED, AND DENSELY FOLIATED WHEN IN LEAF.
4. HEIGHT AND SPREAD DIMENSIONS SPECIFIED REFER TO THE MAIN BODY OF THE PLANT AND NOT FROM BRANCH TIP TO TIP. IF A RANGE OF SIZE IS GIVEN, NO PLANT SHALL BE AS LARGE AS THE MAXIMUM SIZE SPECIFIED.
5. SHADE TREES SHALL BE STRAIGHT UNLESS OTHERWISE SPECIFIED
6. PLANTS SHALL BE SUBJECT TO REVIEW BY OWNER'S REPRESENTATIVE. OWNER'S REPRESENTATIVE SHALL BE THE SOLE JUDGE OF THE QUALITY AND ACCEPTABILITY OF MATERIALS AND PLACEMENT.
7. PLANTING PLANS INDICATE DIAGRAMMATIC LOCATIONS ONLY. SITE ADJUSTMENTS OF PLANTING DESIGN AND RELOCATION OF PLANT MATERIAL INSTALLED PRIOR TO OWNER REPRESENTATIVE'S APPROVAL SHALL BE DONE WITHOUT PENALTY OR ADDITIONAL COST TO OWNER. STAKE PLANT LOCATIONS AT SITE AND OBTAIN OWNER REPRESENTATIVE'S APPROVAL PRIOR TO PLANT INSTALLATION.
8. PLACE PLANTS UPRIGHT AND TURNED SO THAT THE MOST ATTRACTIVE SIDE IS VIEWED.
9. BE FAMILIAR WITH UNDERGROUND UTILITIES BEFORE DIGGING. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ALL DAMAGE OF UTILITY LINES
10. PROVIDE SHOVEL-CUT TRENCH AT SHRUB BEDS IN LAWN AREAS UNLESS OTHERWISE NOTED.
11. PROVIDE 2" THICKNESS MULCH AT ALL PLANTS AND PLANTING BEDS. MULCH MUST BE 3" THICK AT TIME OF FINAL WALK-THROUGH. MULCH IN SHRUB AND TREE PLANTING BEDS SHALL BE PINE STRAW UNLESS OTHERWISE NOTED. MULCH IN GROUNDCOVER BEDS TO BE SHREDDED HARDWOOD UNLESS OTHERWISE NOTED.
12. MAINTENANCE WORK SHALL BE PERFORMED UNTIL DATE OF FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE.
13. CONTRACTOR'S PRICES SHALL INCLUDE ALL LABOR AND MATERIAL NECESSARY TO COMPLETE THE WORK, I.E. MULCH, PLANTING, SOIL MIX, WOOD AND WIRE STAKING MATERIAL, ETC.
14. QUANTITIES NECESSARY TO COMPLETE THE WORK ON THE DRAWING SHALL BE FURNISHED. QUANTITY ESTIMATES HAVE BEEN MADE CAREFULLY, BUT THE OWNER'S REPRESENTATIVE ASSUMES NO LIABILITY FOR OMISSION OR ERRORS. HIS ESTIMATES ARE ONLY AN AID FOR CLARIFICATION OF UNITS AND A CHECK FOR THE CONTRACTOR TO COMPARE WITH HIS OWN ESTIMATES. DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF OWNER'S REPRESENTATIVE. NO EXTRA COMPENSATION SHALL BE ALLOWED FOR EXTRA QUANTITIES NECESSARY TO COMPLETE THE WORK.
15. WHERE LANDSCAPING AREAS ADJOIN GRASSED RIGHTS-OF-WAY, SUCH AREAS SHALL BE CONSIDERED PART OF THE LANDSCAPED AREA FOR PURPOSES OF MAINTENANCE, AS OF COMPLETION OF SITE IMPROVEMENTS, THE PROPERTY OWNER SHALL HAVE AN IMPLIED EASEMENT OF THE RIGHT-OF-WAY EXTENDING FROM THE SITE TO THE ROAD PAVEMENT IN ORDER TO COMPLETE THE REQUIRED MAINTENANCE.
16. CONTRACTOR TO DESIGN-BUILD IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE OF NEW PLANT MATERIAL. IRRIGATION HEADS TO BE INSTALLED FLUSH WITH GRADE.

LANDSCAPE REQUIREMENTS:

SITE LANDSCAPE
CONSTRUCTION AREA = 812,898 SF
POINTS EQUATION = (CONSTRUCTION AREA - 10,000) / 500 + 40 + PARKING SPACES
(809,789 SF - 10,000 SF) / 500 SF + 40 + 445 SPACES = 2,085 POINTS REQUIRED
2,206 POINTS PROPOSED

PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT	CAL	POINTS	TOTAL
TREES						
	24	LARGE EVERGREEN TREE	B & B	2" CAL	8	192
	14	LARGE SHADE TREE	B & B	2" CAL	11	154
	18	MEDIUM EVERGREEN	15 GAL	1.5" CAL	5	90
	94	MEDIUM SHADE TREE	B & B	2" CAL	8	752
	33	UNDERSTORY TREE	B & B	2" CAL	5	165
SHRUBS						
	853	SHURB	3 GAL	1	853	36" o.c.



ENGINEER:

FORESITEgroup

ForeSite Group, LLC
2301 Oaktree Village Lane
Suite 200
Auburn, AL 36830

9 | 334.887.6844
9 | 334.887.6824
W | www.foresitegroup.net

DEVELOPER:

TWO CAPITAL PARTNERS
3060 PEACH-TREE RD, SUITE 560
ATLANTA, GA 30305

CONTACT:

PROJECT:

SOCIETY HILL APARTMENTS

SECTION 24, TOWNSHIP 19 NORTH, RANGE 26 EAST
OPELIKA, LEE COUNTY, ALABAMA

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	BB
DRAWING BY:	SE
JURISDICTION:	OPELIKA, AL
DATE:	2025-10-22
SCALE:	1" = 30'
TITLE:	

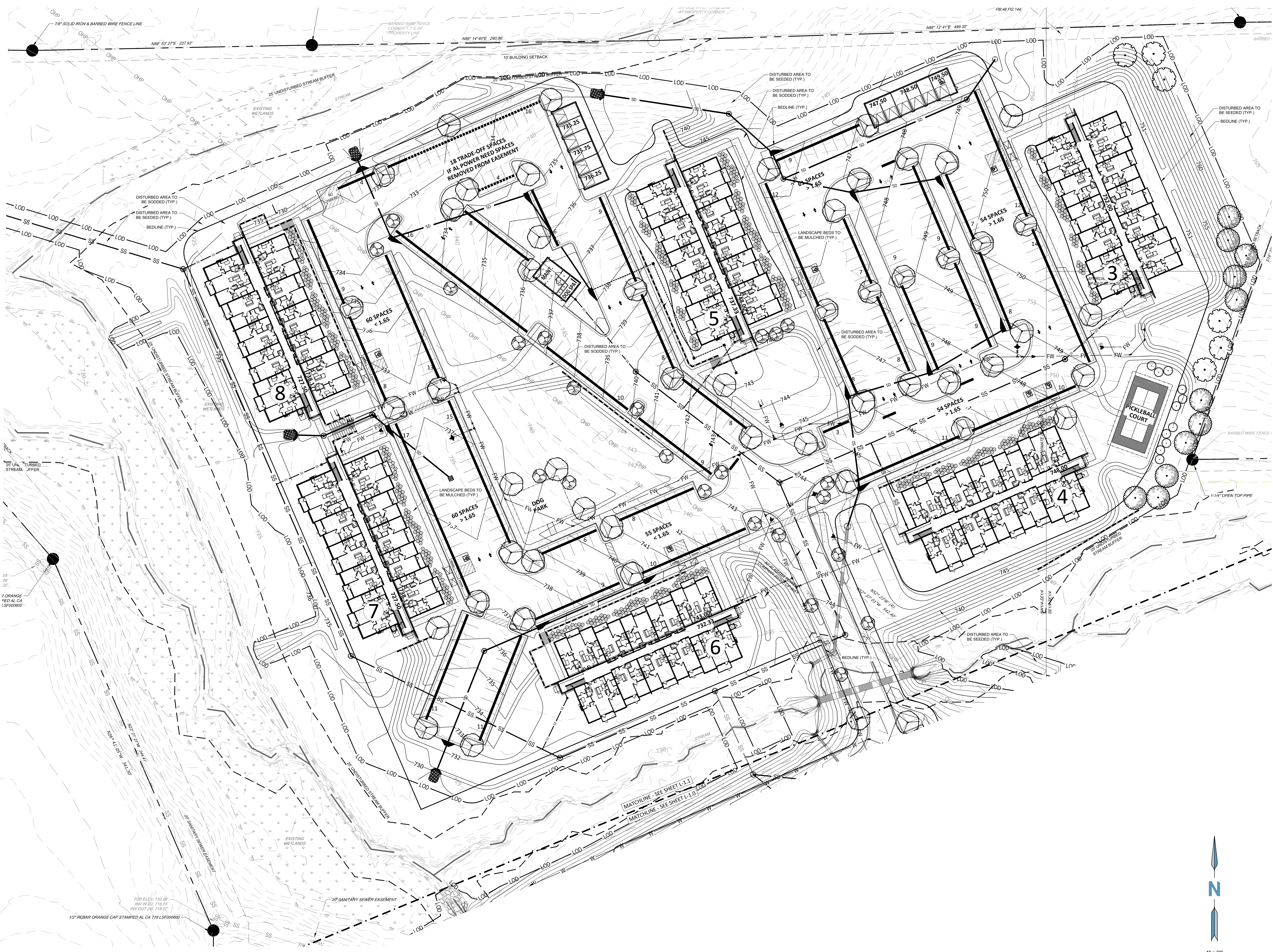
PRELIMINARY
LANDSCAPE PLAN

SHEET NUMBER:

L-1.0

COMMENTS:
NOT RELEASED FOR CONSTRUCTION

JOB FILE NUMBER:
2320.003



NOTE: SEE SHEET L-1.0 FOR GENERAL LANDSCAPE NOTES AND PLANT SCHEDULE

FORESITE
group

ENGINEER:
ForeSITE Group, LLC
2301 Coliseum Village Lane
Suite 200
Auburn, AL 36830
P | 334.887.6054
F | 334.887.6024
W | www.foresitegroup.net

DEVELOPER:
TWO CAPITAL PARTNERS
3060 PEACH TREE RD, SUITE 560
ATLANTA, GA 30305

CONTACT:

PROJECT:
SOCIETY HILL APARTMENTS
SECTION 24, TOWNSHIP 19 NORTH, RANGE 26 EAST
OPELIKA, LEE COUNTY, ALABAMA

SEAL:

REVISIONS	DATE

PROJECT MANAGER: BB
DRAWING BY: SE
JURISDICTION: OPELIKA, AL
DATE: 2025-10-22
SCALE: 1" = 30'
TITLE:

PRELIMINARY
LANDSCAPE PLAN

SHEET NUMBER:
L-1.1

COMMENTS:
NOT RELEASED FOR CONSTRUCTION

JOB FILE NUMBER:
2320.003







Agenda Item

B-4

CU-1525 Old Columbus Road



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



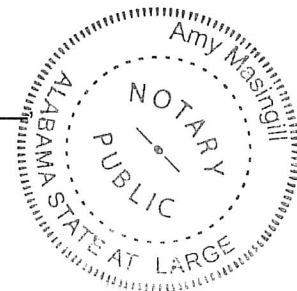
PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 1525 Old Columbus RdPROPERTY OWNER: Leslie Greene DudleyAPPLICANT/ AUTHORIZED REPRESENTATIVE: Tyler HearnMAILING ADDRESS: 7045 Us Hwy 280 W Auburn AL 36830PHONE NUMBER: 205-790-6173 FAX NUMBER: -EMAIL ADDRESS: tyler@121disposal.com**PARCEL INFORMATION**Project name: Old Columbus Rd Address/Location: 1525 Old Columbus RdCurrent Land Use: timber processing & transfer Current Zoning: m1Adjacent Zoning Districts: North: m1 South: m1 East: m1 West: m1Description of Proposed Use: Recovered material Processing Facility**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

I, Leslie Dudley, being owner of the property which is the subject of this conditional use application hereby authorize Tyler Hearn, 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: Leslie Dudley Date: 10-28-2025
STATE OF ALABAMA,**COUNTY OF LEE**

I, Amy Masingill, a Notary Public in and for said County and State, hereby certify that Leslie Dudley, 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 28 day of October
Amy Masingill
Notary Public
My Commission Expires: 12/14/25

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.
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3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
5. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this ordinance, the other plans, programs, maps and ordinances adopted by the City to guide its growth and development. The approval of the conditional use permit shall be conditional upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

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

- 1) How is the proposed use appropriate in the location for which it is proposed? Current site is zone for processing (MI) - See ADEM Certificate & application
- 2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? NO - Current site will create a s-l-r traffic flow than previous tenant & processing company. See photos
- 3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? Site is already Contracted with Labolla Enu, RH Safety (OSHA), & will perform to ADEM Compliance. Quarterly Reporting & site review. Also see BFM's addressing Dust, Noise, & Enu

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** _____

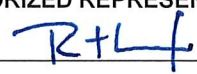
CERTIFICATION

I, Leslie Dudley, 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:
 (PRINT NAME) <u>Leslie Dudley</u>	<u>10-28-25</u>

STATEMENT OF UNDERSTANDING

I, Tyler Hearin (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:
 (PRINT NAME) <u>R. Tyler Hearin</u>	<u>10-28-25</u>

City of Opelika

Planning Commission Planning Department Report

Meeting Date: November 18, 2025

Agenda Item #: B-4

Action Requested: Conditional Use – Construction and Demolition Materials Recovery

Location of Property: 1025 Old Columbus Road

Property Owner(s): Leslie Greene Dudley, property owner
Tyler Hearin, Twenty One Services, LLC.

Current Land Use: Previously lumber yard

Current Zoning: M-1 (manufacturing)

**Surrounding Zoning Districts
And Land Uses:**

North	R-4M	Residential
South	R-3 & M-1	Vacant
East	R-4M & M-1	Residential
West	M-1	Manufacturing and Residential

Proposal

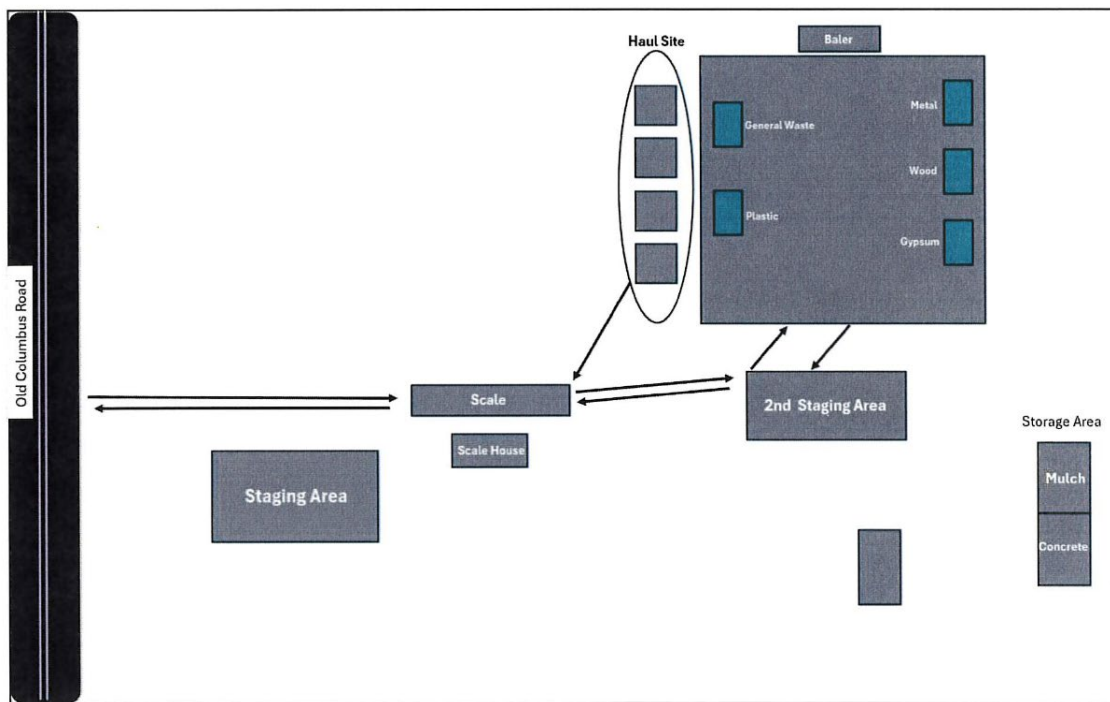
The applicant is requesting conditional use approval for a construction and demolition materials recovery processing facility in a M-1 zone. The use is occurring on seven acres of a 75 acre property. The site was previously a storage area for lumber. It is adjacent to an old railroad spur that extends to the former Uniroyal plant. The surrounding properties are a mix of industrial, residential, and vacant property. The larger property includes the beginning of Chewacla Creek. The development site is between 500-600 feet from the creek. The 2040 Comprehensive Plan shows this area transitioning to single family residential as growth continues in this direction.

The proposed use includes bringing construction and demolition materials from across the region on site. Typically, the material is transferred in by trucks hauling roll off dumpsters from construction sites. The composition and weight of the loads are determined. The loads are tipped onto an open concrete pad. If there are materials worth salvaging, the material is sorted into various containers. If not, the load is moved into a transfer truck. Desirable materials



include wood, concrete, gypsum, cardboard, metal and plastic. Wood and concrete are processed into smaller pieces. Other materials are baled. Materials are then sent to other users for further processing within 72 hours. Waste material is isolated, covered, and is removed daily.

The company applied to the Alabama Department of Environmental Management (ADEM) for approval of the site. The processing and hauling of construction and demolition materials does not require as much scrutiny by the state as other waste and garbage. They were unaware that any approval by the City of Opelika was necessary until the City reached out to them about the site. The applicant has provided their applications to ADEM and processes for the Planning Commission to review. This includes a conceptual layout of the process.



The facility has a natural 30-100 ft buffer along Old Columbus Road. The rest of the site is largely dirt, gravel, or the concrete processing pad. There is a manufactured office and scales in the center and a small covered but open walled area in the rear.



The provided report notes that the use is operational on Monday – Friday from 6 am to 4 pm. They expect to have a monthly tonnage of 1,000 tons of material.

As previously noted, there is a natural buffer along the front of the property, and most of the property to the west and south is undeveloped. The property line adjacent to the railroad line does not have any buffering. There is no improved parking on site. Many of these improvements would be required or discussed prior to operation.

In reviewing other regulations transfer stations and previous recycling operations, the largest concerns are typically related to litter, noise, odor, and other impacts that the use may have on the city or adjoining properties. Construction and demolition materials do not typically create issues for rodents or other vectors. The materials generally do not create the same odor issues that other waste facilities may experience. Noise would generated by the heavy equipment, regular movement of incoming trucks being tipped and outgoing transfer trucks being loaded. The shredder and screen used in processing also creates noise. One of the most significant issues created by this use seems to be dust and other particulate created through the process. Additionally, litter from loose materials both during the process and the transportation of the material to and from the site. In researching the use, it seems that most modern recovery operations close to cities largely occurs in enclosed facilities. This reduces most of the issues related to potential issues created by the operation.

Section 8.17 of the Zoning Ordinance provides criteria for approval of conditional uses. These criteria include:

- 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.**

As noted earlier the subject property is designated Single Family Residential in the City of Opelika comprehensive plan. While the current zoning is M-1, some uses allowed by right or that are less intensive would not restrict residential growth in this area. The transfer of construction and demolition materials and its processing would likely exclude the future transition of this property residential. There is also concern that waste contamination may permanently restrict the future use of the property.

- 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.**

The reduction of recyclable waste going to the land fill is a positive from a environmental, sustainable, and economic perspective. The city does have a significant number of facilities that engage in recycling of metal and some other materials, but not all the noted materials.

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 rights-of-way, 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.**

Old Columbus Road is more than capable of handling additional traffic to the site. The greater concern is the potential impact the use may have on both the developed residential property adjacent and how it may potentially limit future development. Again, these concerns largely center around the amount of dust, silica and other particulate, odor, and noise. There is also some concern about importing waste material from other communities and whether that will generate additional litter on main routes. Any potential expansion could affect Chewacla Creek, but that is not being proposed at this time.

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.**

The proposed use should not place an undue burden on any current city facilities, utilities, or infrastructure.

Recommendation

While staff sees the need and benefit of the proposed use, we have concerns over the operation and potential impact of the use as this part of Opelika continues to grow and transition towards a more residential area. As previously noted, the use is not in alignment with 2040 Comprehensive Plan. **As such, staff recommends denial of the proposed use on the stated reasons.**

If the Planning Commission does recommend conditional use approval, staff recommends the following conditions:

- 1. The tipping and sorting facility be fully enclosed in a covered building with four walls.**
- 2. No recycling sorting or storage activities occur within 50 feet of any property line.**
- 3. Operations shall be limited to Monday through Friday between 6 am to 6 pm.**
- 4. No materials other than the construction and demolition materials listed in this report shall be accepted on site. No hazardous, toxic, radioactive, corrosive materials or those requiring abatement be accepted including but not limited to asbestos, lead paint, or batteries.**
- 5. The site shall take active measures to control odor and dust.**
- 6. The site shall meet the City's noise ordinance.**
- 7. The entrance, primary truck routes, and employee parking shall be improved to meet the City of Opelika requirements for hard all weather surfaces (concrete or asphalt).**
- 8. Non-recyclable materials shall be covered or enclosed at all times and removed from site daily.**
- 9. A residential buffer meeting the City of Opelika requirements shall be installed on the east property line.**
- 10. Any expansion of area, operation or tonnage shall require amendment to the conditional use approval.**
- 11. The applicant or business shall coordinate with the City of Opelika Environmental Services Department to provide any updates to their permits or licensing with ADEM or the Department of Public Health.**
- 12. The site shall not transition to either a transfer station or other materials without amending their conditional use.**
- 13. All trucks entering and leaving the site shall be covered to prevent litter.**



Tipping area, sorting bins and transfer truck



Truck dropping materials and sorting



Pavilion and sorting area



Breaking up concrete



Bins of recovered material awaiting processing



Non-recycled material stored



Nov 10, 2025 at 12:27:06 PM
1221 Old Columbus Rd
Opelika AL 36804
United States

Concrete piles

Engineering Department Report

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

Opelika Water Report

This site is currently served by a $\frac{3}{4}$ " meter.

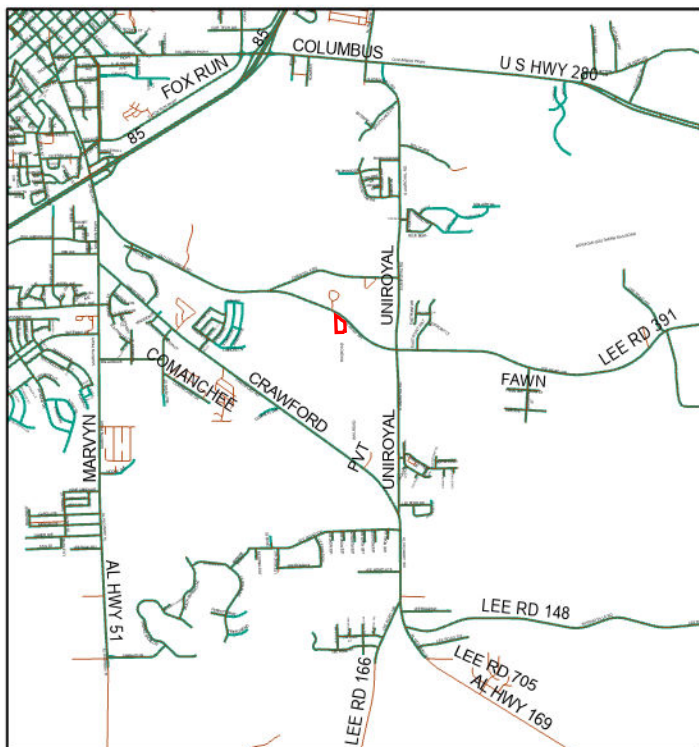
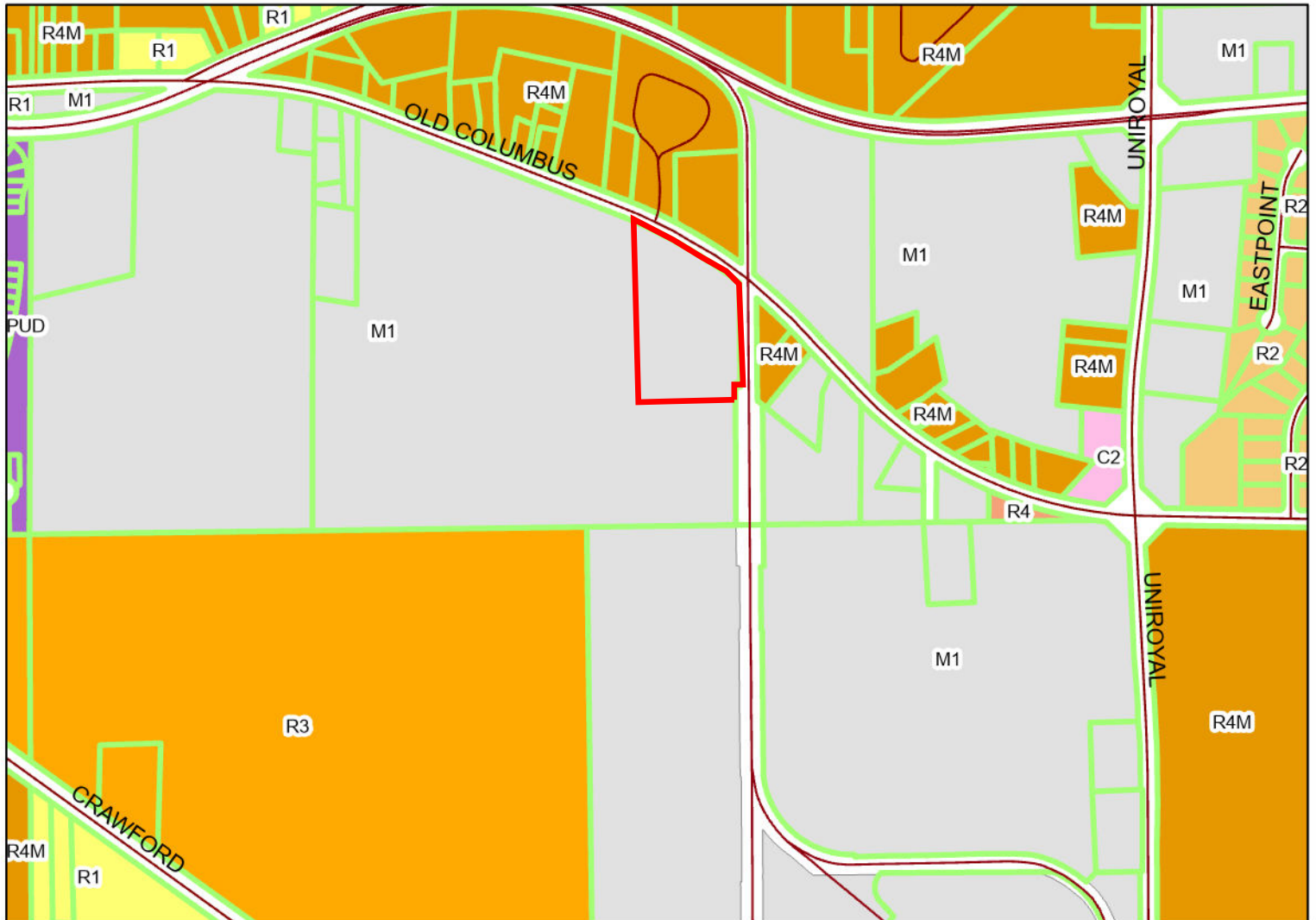
Opelika Power Services Report

This property is in the Opelika Power and Tallapoosa River service territory.

RECOVERD MATERIALS PROCESSING FACILITY

1525 OLD COLUMBUS ROAD

CONDITIONAL USE, B-4



The applicant is requesting approval for a recycling facility (materials: concrete, gypsum, cardboard, metal, wood, plastic). Materials to be delivered to local companies and to Montgomery and Ragland, Al. The property is zoned M-1 (manufacturing).



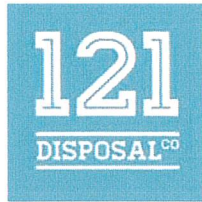
Subject Property

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





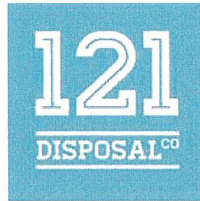




CONDITIONAL USE PERMIT APPLICATION
City of Opelika, Alabama

Recovered Materials Processing Facility
121 Disposal Company, LLC
1525 Old Columbus Rd
Opelika, AL 36804

7045 Us Hwy 280 W
Auburn, AL 36830
334.707.4850
121disposal.com



Applicant Information

Applicant Name: Tyler Hearin
Company/Organization: 121 Disposal Company, LLC
Mailing Address: 7045 US HWY 280 W. Auburn, AL 36830
Phone: 205-790-6173
Email: tyler@121disposal.com
Property Owner (if different): Leslie Greene Dudley
Owner Authorization Attached: Yes

Property Information

Project Name: C&D Materials Processing Facility
Project Address/Location: 1525 Old Columbus Rd Opelika 36804
Parcel ID(s): 1005210000070000
Zoning District: Light Industrial (M-1)
Comprehensive Plan Designation: Industrial, Processing
Acreage: 9.0 acres
Existing Use: Vacant / Industrial
Proposed Use: Construction & Demolition (C&D) Materials Processing Facility

Project Description / Narrative

This application requests Conditional Use Permit approval to allow a C&D Processing Facility within the M-1 (Light Industrial) zoning district, consistent with Section VII: District Regulations, January 8, 2003

The proposed operation will process and sort construction and demolition materials into six recyclable material streams through a single stream and two-phase processing approach.

Materials to be received at facility:

- Wood
- Metal
- Gypsum (drywall)
- Concrete
- Plastic
- Cardboard

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Auburn, AL 36830
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121disposal.com



*****Site is NOT approved and WILL NOT accept any municipal solid waste *****

Recovered Material Processing Facility

Definition

A ***Recovered Material Processing Facility*** (also known as a ***Materials Recovery Facility***, or ***MRF***) is an industrial operation where recovered or recyclable materials are received, sorted, cleaned, separated, and prepared for reuse or sale as market-ready commodities.

This use is ***classified as processing, not transferring***. The facility's purpose is to convert incoming recovered materials into market-ready commodities such as baled cardboard, shredded wood for fuel, cleaned metals, or ground gypsum for soil amendment.

Key Characteristics

- Operates within an enclosed, controlled industrial environment.
- Employs mechanical and manual systems to process and prepare materials.
- Does not landfill or incinerate waste.
- Aligns with zoning intent for industrial "processing" uses rather than "scrap," "storage," or "waste disposal."

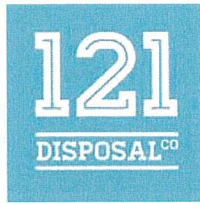
In short, this facility processes recovered materials into usable products — transforming what was once waste into new resources while remaining consistent with Opelika's industrial processing land-use category.

End Market for processed materials:

- | | |
|---|------------------------------------|
| • Wood – National Cement | Reused as filler in cement |
| • Metal – Recycle Alabama | Recycled into raw materials |
| • Gypsum (drywall) – Local Agricultural | Recycled for fertilization process |
| • Concrete – Local Paving Companies | Crushed and reused for road base |
| • Plastic – Waste Recycling | Recycled into new plastic products |
| • Cardboard – Waste Recycling | Recycled into paper products |

The project supports the City's environmental and economic goals by diverting waste from landfills, promoting material reuse, and creating local employment opportunities. The site provides sufficient area for vehicle circulation, equipment operation, and material storage while maintaining compliance with City setback, buffering, and screening requirements.

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Alignment with City Ordinance § 10-14 — Demolition & Construction Waste

This facility supports and complies with the City of Opelika's waste-management requirements under § 10-14 (Demolition & Construction Waste) by ensuring all recovered material is handled, processed, and transferred in accordance with ADEM (Alabama Department of Environmental Management) standards and permits.

Conditional Use Findings / Justification Statement

A. Consistency with the Comprehensive Plan

The proposal is consistent with Opelika's Comprehensive Plan, which encourages industrial and recycling uses within designated industrial zones. The facility supports sustainable development and economic diversification goals.

B. Compatibility with Surrounding Uses

The subject property is located within an established Light Industrial area, surrounded by compatible industrial and dense wood areas. No change or adverse impact on the property from the previous tenants, adjoining industrial sites, and historical traffic flow.

C. Adequate Public Facilities and Access

The site is served by existing public roads capable of accommodating truck traffic. Utilities (water, sewer, electricity) are available or can be extended to the property. Internal circulation and parking meet applicable standards.

D. Environmental Protection and Mitigation

Dust, noise, and runoff will be managed through best management practices (BMPs) including:

- Paved access points and dust suppression systems
- Limited processing hours (e.g., 7:00 a.m.–4:00 p.m.)
- Stormwater management consistent with ADEM and City requirements (Stormwater permit already approved) (See attached)
- Enclosed or screened processing and storage areas to be built based on gradual build out

E. Public Health, Safety, and Welfare

Operations will comply with all applicable City, State, and Federal environmental regulations, including ADEM. Site Certificate approved (See Attached).



5. Site Plan Requirements Checklist

Attach ADEM Site Registration (See attached):

- **Materials**
 - **Zoning**
 - **Site Access Controls**
 - **Site Map**
 - **ADEM Admin Code**
 - **Operational Plan**
 - **Facility Design & Operations**
 - **Storage and Accumulation Limitations**
 - **Quarterly Reporting**
-

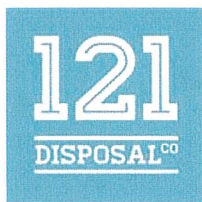
6. Environmental and Operational Details

- **Operating Hours: 0700-1530**
 - **Employees (approx.): 10 Employees – Phase 1 (Currently Employed)**
 - **Truck Trips (avg. per day): 15 Trucks**
 - **Stormwater / Drainage Controls: Follows Storm Water Permit ALG180956 (See Attachment)**
 - **Waste Handling / Recycling Procedures: 90% Processed / 10% Transferred to local approved Solid Waste Facility**
-

7. Supporting Materials

Attach the following documents (as required by Opelika Planning Department):

- **Completed CUP Application Form (City-provided)**
- **Aerial Site Photos**
- **ADEM Definition and Explanation of a Recovered Material Processing Facility**
- **ADEM Approval Certificate**
- **ADEM Required Facility Registration Document**
- **Legal description and parcel map**



335-13-3-.02 Facility Registration

1. Materials to be received at facility:

- Concrete
- Gypsum
- Cardboard (OCC)
- Metal
- Wood
- Plastic

2. End market for recycled materials:

- | | |
|--|------------------------------------|
| ○ Concrete – Local Paving Companies | Crushed and reused for road base |
| ○ Gypsum – Local Agricultural Co | Recycled for fertilization process |
| ○ Cardboard (OCC) – Waste Recycling | Recycled into paper products |
| ○ Metal – CMC & Sable Steel – Montgomery | Recycled into raw materials |
| ○ Wood – National Cement – Ragland, AL | Reused as filler in cement |
| ○ Plastic – Waste Recycling – Montgomery | Recycled into new plastic products |

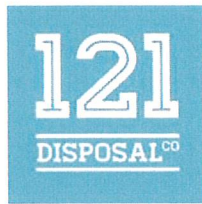
3. Zoning Permits

- This site is zoned within the city of Opelika as an M1 Industrial District. The city of Opelika defines these industrial districts as follows:
 - “These districts are intended for a wide range of uses including but not limited to, manufacturing, wholesales, warehouse, processing, assembling and commercial. Should be served by sanitary sewer or have provision for adequate on-site disposal. M-1 is for private ownership and M-2 is for public ownership such as the Opelika Industrial Development Board, etc.” – *Zoning Ordinance, Section VI: Establishment of Zoning Districts, November 21, 2007*

4. Site Access Controls:

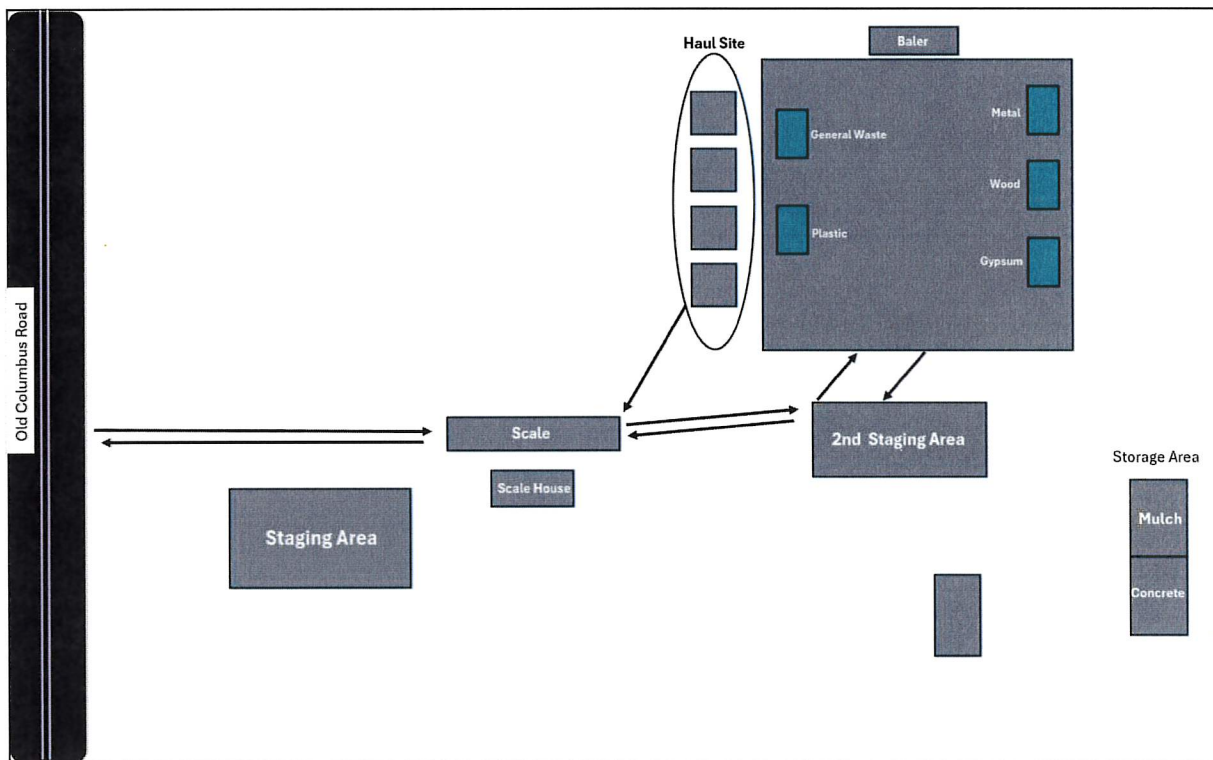
- This facility will be established, maintained, and controlled to create the most efficient and substantiable process to sort and recover a target of 90% of all Construction and Demolition materials ultimately creating the most environmentally friendly and reusable path for all inbound materials.
- Non-recyclable materials Process:
 - Materials will be controlled, isolated, and covered to ensure no debris escapes or directed to the incorrect facility

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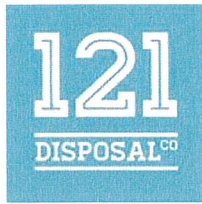


- Materials that are non-recyclable will quickly be identified through our review process and directed to isolated, sealed, and closed containers that will be removed from the property daily.
 - These set containers will be located throughout the facility to ensure all identified materials are quickly gathered and relocated to the sealed equipment
- Operational Checklist
 - This site will maintain a daily checklist to ensure safety, cleanliness, and all recovery processes and procedures are met daily
 - A weekly scorecard will be posted to notify materials recovered as well as items that need immediate attention to ensure all standards are in line with this facility registration
 - Daily safety meetings, directed by operational manager, will not only review operational output, but discuss cleanliness, our continuous improvement process, as well as generate the best practices around areas of opportunity.

5. Site map:



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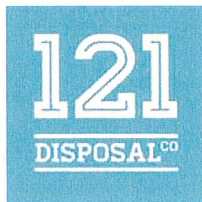
6. ADEM Admin Code

- Operational requirements, scorecards, recovery metrics, along with OSHA standards will be discussed daily and posted throughout the facility to ensure all requirements, goals, and best practices are met both operationally and safety.

7. Operations Plan

- i. **Days + hours of Operation:** Monday to Friday 0600 – 1600
- ii. **Anticipated monthly tonnage:** 1,000 tons
- iii. **Written Narrative**
 - i. Inbound materials are transported to facility
 - ii. Inbound trucks will be weighed and directed to holding site for review
 - 1. A camera system will be installed to review each load for materials not approved at the facility
 - iii. After material's weight and primary recyclable material is determined driver will be directed to holding yard for manual in person scan
 - iv. Inbound drivers will exit the facility to get tare weight for inbound load
 - v. Once approved by operational manager, materials will be located into separation bay to start the recovery process
 - 1. The recovery process will be handled both manually & automated through various types of separational equipment to ensure all materials are recovered and aligned with their correct reusable destination
 - vi. Once materials are sorted and separated, they will be relocated to their correct containers to be delivered to end user facilities
 - vii. Transport companies will weigh inbound and outbound when transporting the recover materials to get total tonnage of recycled materials, by type
- iv. **Max storage**
 - i. Recovered materials will be removed and relocated to end user within 72-hour period
 - ii. Non-Recyclable materials – Isolated and removed daily
- v. **Major Equipment Utilized:**
 - Wheel Loader
 - Skid steer
 - Baler / Compactor
 - Separating Containers
 - Excavator
 - Shredder
 - Horizontal Screener
 - Sealed containers for non-recyclable materials

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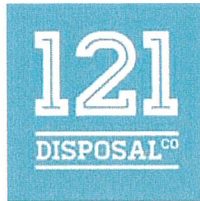
- Conveyor lines
- vi. **Weighing methods:** A certified scale provided by Fairbanks Truck Scale, will be installed and permitted in accordance with the Department of Agriculture along with weigh master permits required to operate onsite scale
- vii. **Storage Areas:** General Aggregate Storage outlined by 6' V wedge blocks. These storage areas will consist of approved or excluded materials that fall in line with the current recycling permits. Non-excluded materials will be loaded into transport equipment
- viii. **Fire codes:** The newly constructed facility will operate under current ordinances as directed by the local fire marshal with multiple fire suppressants & equipment located through the facility
- ix. **Dust Control + Ventilation:**
 - Bepfoam will be utilized for dust suppression.
 - Additional Ventilation will be added or created to ensure a clean and dust-free environment, as required

335-13-3-.03 Facility Design and Operation

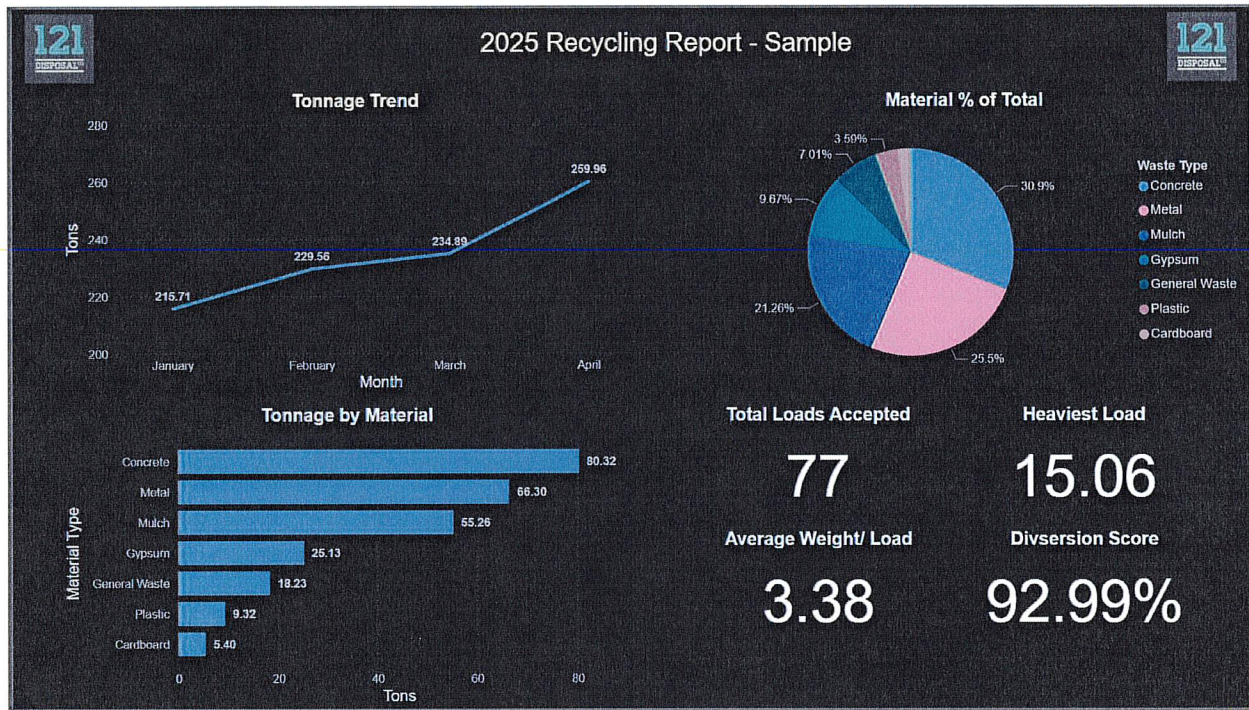
- Recycling facility will be engineered + enclosed on a concrete slab.
- Staging areas will be well defined with high-vis markers that adhere to ADEM safety and OSHA regulations.
- Material Bays will be created to ensure that materials are not mixed or contaminated
- Non-Recoverable materials will have isolated and seal containers that are used to remove certain materials immediately when identified.
 - These containers will be emptied daily
- Materials that are not excluded under ADEM standards will be removed and relocated to the correct processing facility within a 72-hour period.
- Responsible Parties:
 - **Tyler Hearin** - Owner
 - **Grey Norton** – Director of Operations
 - **Ethan Shealy** – Director of Recycling

335-13-3-.04 Storage and Accumulation Limitations

Recycling Records + Reports: All records will be collected and managed within 121 Disposal's operating software AMCS Platform. Metrics will be reviewed, evaluated, and reported as required under ADEM requirements creating a best in class operation to drive maximum sustainability.



Please see examples of reporting:



7045 Us Hwy 280 W
Auburn, AL 36830
334.707.4850
121disposal.com



1400 Coliseum Blvd.
PO Box 301463
Montgomery AL, 36130-1463
recycling@adem.alabama.gov

Alabama Department of Environmental Management Processing and Recycling Registration

BUSINESS NAME:

Twenty-One Services LLC

FACILITY NAME:

Old Columbus Road

FACILITY LOCATION:

**1525 Old Columbus Road
Opelika, AL 36804**

REGISTRATION NUMBER:

PRF0000-000108

REGISTRATION TYPE:

Processing and Recycling

In accordance with and subject to the provisions of the Alabama Solid Wastes and Recyclable Materials Management Act, Code of Alabama 1975, §§22-27-1 to 22-27-18, the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the conditions set forth in this facility registration, the Registrant is hereby authorized to operate the materials recovery/recovered materials processing facility at the described facility location.

ISSUANCE DATE: August 15, 2025

EFFECTIVE DATE: August 15, 2025

Alabama Department of Environmental Management

Digitally Signed By
Stephen Cobb
08/15/2025, 12:09

Date Signed



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT PROCESSING AND RECYCLING REGISTRATION

Pursuant to the Solid Waste and Recyclable Materials Management Act, Ala. Code §§22-27-1 to 22-27-18, *et seq.*, and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this registration is issued to Twenty-One Services LLC (hereinafter called the Registrant), to operate the facility described above.

The Registrant must comply with all terms and conditions of this registration and the applicable regulations contained in [Chapters 335-13-1 through 335-13-16 of the ADEM Administrative Code \(referred to as the "ADEM Admin. Code" or "335-13"\)](#). Applicable ADEM Administrative Codes are those that are in effect on the date of issuance of this registration or the revisions approved after initial issuance.

This registration is based on the Registration Application submitted to ADEM on July 09, 2025. The application is hereby incorporated by reference and hereinafter referred to as the Application. Inaccuracies found in the Application could lead to the termination or modification of this registration and potential enforcement action. The Registrant must inform ADEM of deviations from or changes in the information in the Application that would affect the Registrant's ability to comply with the applicable ADEM Administrative Code or registration.

I. Effect of Registration

The Registrant can receive, store, process, and sell recyclable and/or recovered materials in accordance with the conditions of this registration and [ADEM Admin. Code div. 335-13](#). Issuance of this registration does not convey property rights of any sort or an exclusive privilege, nor does it authorize the injury to persons or property, the invasion of other private rights, or the infringement of state or local laws or regulations. Except for actions brought under Ala. Code §§22-27-9 and 22-27-12, *et seq.*, compliance with the conditions of this registration shall be deemed to be compliance with applicable requirements in effect as of the date of issuance of this registration and future revisions.

II. Duty to Comply

The Registrant must comply with all conditions of this registration and [ADEM Admin. Code div. 335-13](#) regulations applicable to this facility. Noncompliance with the registration constitutes a violation of Ala. Code §§22-27-9 and 22-27-12, *et seq.*, and is grounds for enforcement action, registration suspension, revocation, modification, and/or denial of a registration renewal application.

III. Inspection and Entry

Upon presentation of credentials and other documents as may be required by law, the Registrant shall allow the employees of ADEM or their authorized representative to:

- a. Enter at reasonable times the Registrant's premises where the regulated facility or activity is located or conducted, or where records must be kept.



- b. Have access to and copy, at reasonable times, the records that must be kept.
- c. Inspect, at reasonable times, the facilities, equipment, practices, or operations regulated by this registration.

IV. Records to be maintained

The Registrant shall retain records, as required per [ADEM Admin. Code r. 335-13-3-.05](#) at the location specified in the Application and as shown below. Records of all data used to complete the Application for this registration for a period of at least three years from the date the record was created as per [ADEM Admin Code r. 335-13-3-.05\(8\)](#). This period may be extended by the request of ADEM at any time and are automatically extended during the course of an unresolved enforcement action regarding this facility.

V. Reporting

The Registrant shall submit semiannual reports to ADEM, which contains all recyclable or recovered materials transferred, sold or conveyed for each six (6) month reporting period as required by [ADEM Admin. Code r. 335-13-3-05\(4\)](#). Reporting periods will be January to June and July to December. Reports are to be submitted no later than August 15 and February 15 for the respective reporting periods each year.

VI. Facility Closure/Registration Termination

The Registrant must notify the department within 30 days if the business plans to close as required by [ADEM Admin. Code r. 335-13-3-.07](#). A closure plan that includes owner/responsible official contact information, reason(s) for closure, how customers will be notified of the change in status, a detailed plan of how the further accumulation of materials onsite will be stopped, and a detailed plan of removal of all materials onsite must be submitted to the department. Once the department has verified the removal of all materials from the site, the registration will then be considered terminated.

Agenda Item
B-5
CU-Arbours at Opelika



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



PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 22+/- Acre Site at the corner of Fox Run Ave and Fox Run Parkway Intersection, Opelika, AL

PROPERTY OWNER: Michael V Shannon/ Weaver C/O Crooked Creek

APPLICANT/ AUTHORIZED REPRESENTATIVE: Arbour Valley Development, LLC

MAILING ADDRESS: 242 Inverness Center Drive Birmingham, AL 35242

PHONE NUMBER: 205-777-9132

FAX NUMBER: _____

EMAIL ADDRESS: dee@arbourvalley.com

PARCEL INFORMATION

Project name: Arbours at Opelika **Address/Location:** Corner of Fox Run Ave and Fox Run Pkwy Intersection

Current Land Use: Vacant Land

Current Zoning: C2

Adjacent Zoning Districts: North: R5 South: C3 East: PUD West: M2

Description of Proposed Use: High Density Residential District

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Michael V Shannon/ Weaver C/O Crooked Creek, being owner of the property which is the subject of this conditional use application hereby authorize Arbour Valley Development, LLC, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Properly Owner's Signature: _____

Date: 10/28/25

STATE OF ALABAMA,

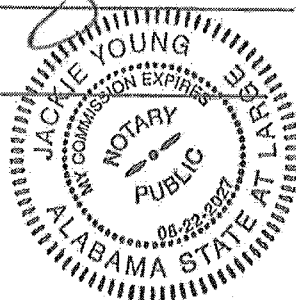
COUNTY OF LEE

I, Jackie Young, a Notary Public in and for said County and State, hereby certify that Michael V Shannon, 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 28 day of October, 2025.

Notary Public

My Commission Expires: _____



AGENDA ITEM #

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

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

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

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

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? _____

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

APPLICATION REQUIREMENTS

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

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

The proposed multifamily residential use is appropriate for this location due to its compatibility with surrounding land uses and existing development patterns. There are existing property uses adjacent to the site.

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.?

No, the proposed multifamily use will not result in any substantial adverse effects on adjacent properties, neighborhood character, traffic, or public infrastructure. The development is compatible with surrounding land uses and existing public infrastructure.

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

The property will not have any adverse effects on the surrounding property owners. The use is compatible with the neighborhood and the road infrastructure with existing traffic lights and stops signs allow for no disruptions to current traffic patterns.

CERTIFICATION

I, Michael V Shannon/Weaver C/O Crooked Creek, 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: 10/28/25
(PRINT NAME) Michael V Shannon	

STATEMENT OF UNDERSTANDING

I, Arbour Valley Development, LLC (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: 10-27-2025
(PRINT NAME) Sam Johnson	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	November 18, 2025													
Agenda Item #:	B-5													
Action Requested:	Conditional Use Extension – 144 apartment units													
Location of Property:	Fox Run Parkway and Fox Run Avenue Intersection													
Property Owner(s):	Micheal V. Shannon/Weaver C/O Crooked Creek Arbour Valley Development, LLC , authorized representative													
Current Land Use:	Undeveloped													
Current Zoning:	C-2, GC-P													
Surrounding Zoning Districts And Land Uses:	<table><tr><td>North</td><td>C-2, R-1</td><td>Arbor Place Apartments</td></tr><tr><td>South</td><td>C-3</td><td>Comfort Inn</td></tr><tr><td>East</td><td>C-3, PUD, I-85</td><td>USA Town Center</td></tr><tr><td>West</td><td>M-2</td><td>Industrial Warehouse</td></tr></table>		North	C-2, R-1	Arbor Place Apartments	South	C-3	Comfort Inn	East	C-3, PUD, I-85	USA Town Center	West	M-2	Industrial Warehouse
North	C-2, R-1	Arbor Place Apartments												
South	C-3	Comfort Inn												
East	C-3, PUD, I-85	USA Town Center												
West	M-2	Industrial Warehouse												

The applicant is requesting conditional use approval for a 9 acre 144-unit apartment development. The property is located on the northeast side of Fox Run Parkway and Fox Run Avenue. The property is next door to the Arbor Place Apartments and has a large wetland area and a few streams identified in the rear. The development proposes 24 one-bedroom units, 78 two-bedroom units, and 42 three-bedroom units. There will be 6 buildings with apartment units. The buildings appear to be 3 stories in height. The amenities shown are a playground, community building, laundry building, and picnic area. The applicants have stated that the apartment complex would be geared towards workforce housing. This means that residents typical are between 60-120% of the Area Median Income (AMI). As such the development may qualify for tax credits from the State of Alabama or federal government.

In the C-2 zone, up to 16 dwelling units per acre are allowed. The proposed density is 16 dwelling units per acre. The surrounding properties are zoned C-2, C-3, and M-1. Arbor Place Apartments to the north has a density of 11.8 units per acre. The Opelika 2040 plan designates this property as Corridor Commercial. This classification is defined as a blend of retail, offices, and service uses along the City's major corridors. As such it does not appear in the Housing Framework.

The proposed apartment complex is accessed by a 100 foot easement to Fox Run Parkway. This proposed configuration does not provide any direct frontage on a public street and does not meet the subdivision or zoning ordinance. Direct frontage on Fox Run Parkway or Fox Run Avenue would be required. Fox Run Parkway (US Highway 431) is controlled by the Alabama Department of Transportation (ALDOT). They have been implementing stronger spacing and access standards on major roads including limiting access or certain turning movements. This development would be substantially weakened if full access to Fox Run Parkway is not granted. Additional access to Fox Run Avenue may assist potential residents and guests to access the property. If future development is proposed on the frontage of this development cross-access easements should be preserved for other uses. Sidewalks are shown throughout the development that terminate at Fox Run Parkway.

The development meets the minimum parking requirement. The minimum off-street parking standards require 288 parking spaces. They are showing 288 parking spaces. The site does compactor on the rear of the property. This dumpster or compactor location and enclosure need to be coordinated with Opelika Environmental Services and Planning Department. These containers need to be enclosed and screened with corridor approved materials and landscaping.

The applicant has not included a landscape plan but does note areas that will be undeveloped areas, which appear to be on separate lots. These areas would need to be designated as open space or amenity for the development to allow the buffers or landscaping to count towards the project. An area along Fox Run Parkway and Fox Run Avenue and rear wetlands are shown as undeveloped. Where possible, an undisturbed buffer may provide the best screening. Additional plantings may be required to meet the requirements of the ordinance. If the undeveloped area and/or buffers along the edge are removed, they will need to provide potentially more trees and landscape points. If the buffers along Fox Run Parkway, Fox Run Avenue and I-85 are removed corridor plantings will be required and additional plantings may be required where the rear of building are visible from the street. The development must meet landscape requirements, including 805 total base points and 288 parking lot landscape points. Trees should be added to parking lot peninsula and islands. At the very least a landscape plan will be required showing parking, landscaping, and the areas where trees will be preserved. The applicant should also provide some general foundation plantings around the building. The size of trees and shrubs on landscape plans must meet the minimum size requirements as provided in the Landscape Regulation. Any fencing should be between the buffer and the units.

The applicant has provided any elevations of the buildings. The proposed elevations include brick, fiber cement board and other Gateway Corridor appropriate materials.

Section 8.17 of the Zoning Ordinance provides criteria for approval of conditional uses. These criteria include:

- 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.**

As noted earlier the subject property is designated Corridor Commercial in the City of Opelika comprehensive plan. Approving the apartment conditional use would not be consistent with the City's long range plan.

- 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.**

The 2040 plan does note a need for ways to create more affordable housing. There is some concern that the Fox Run Parkway corridor contains a significant amount of low to moderate income developments within a very small area. In the past the City of Opelika has tried to find ways to create housing with stratified incomes.

- 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 rights-of-way, 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.**

There is adequate infrastructure and capacity to this property. Additional housing would not likely affect the character of adjacent properties. Ensuring access to this property is vital and will take coordination between the applicant, ALDOT, and the City of Opelika. This development would need full access either on Fox Run Parkway and/or Fox Run Avenue. If access is limited to Fox Run Parkway and full access cannot be gained, this may create an unsafe or inefficient traffic condition for residents. Additionally, many of the residents of the adjacent apartment development walk up and down Fox Run Parkway as means of transportation. To this point, ALDOT has not allowed pedestrian infrastructure on the road.

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.

If approved, access and utilities will need to be addressed.

Providing affordable housing is important to the City of Opelika. The City has worked to approve more apartment units, cottages, and townhome units in recent years. However, at this time based on the future land use plan, staff cannot support the conditional use. Additionally, staff has concerns about how the property will be accessed.

While staff recommends denial at this time, if the Commission chooses to approve the conditional use staff recommends the following conditions:

- 1. Provide direct road frontage on Fox Run Parkway.**
- 2. Full access will be required on either Fox Run Parkway or Fox Run Avenue including any cross access for adjacent developments.**
- 3. Provide a landscape plan showing the buffers as stated in the written report and include parking lot landscaping to meet the regulations and foundation plantings.**
- 4. Any buffering on adjacent property that is intended to meet the requirements of the ordinance need to be platted as an open space lot.**
- 5. Dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure. The location and sizing of dumpsters or compactors must be coordinated with the Opelika Environmental Service Department.**
- 6. All utilities shall be underground except overhead required transmission lines.**
- 7. All mechanical and hvac units shall be screened from the public right-of-way.**

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.

Access and turn lanes from Fox Run Parkway will be permitted and approved by ALDOT.

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

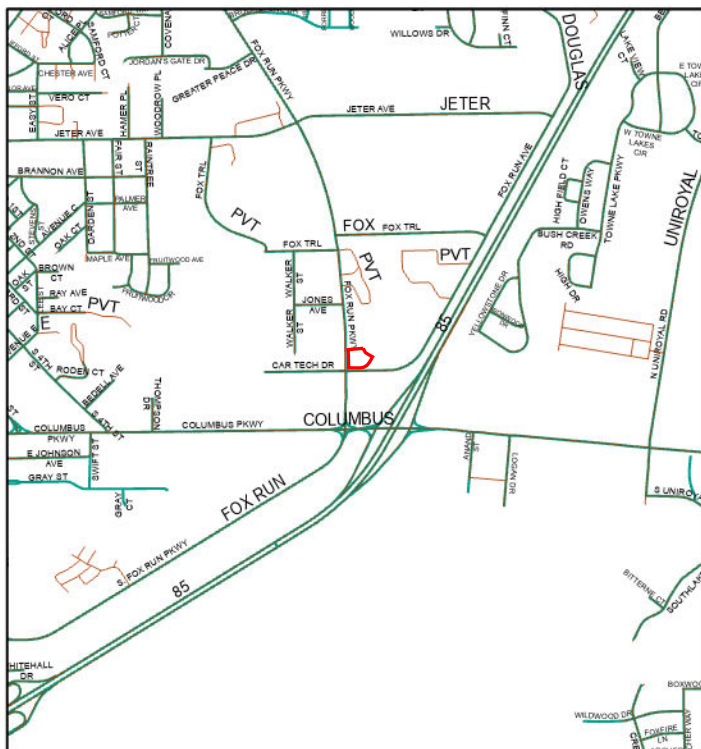
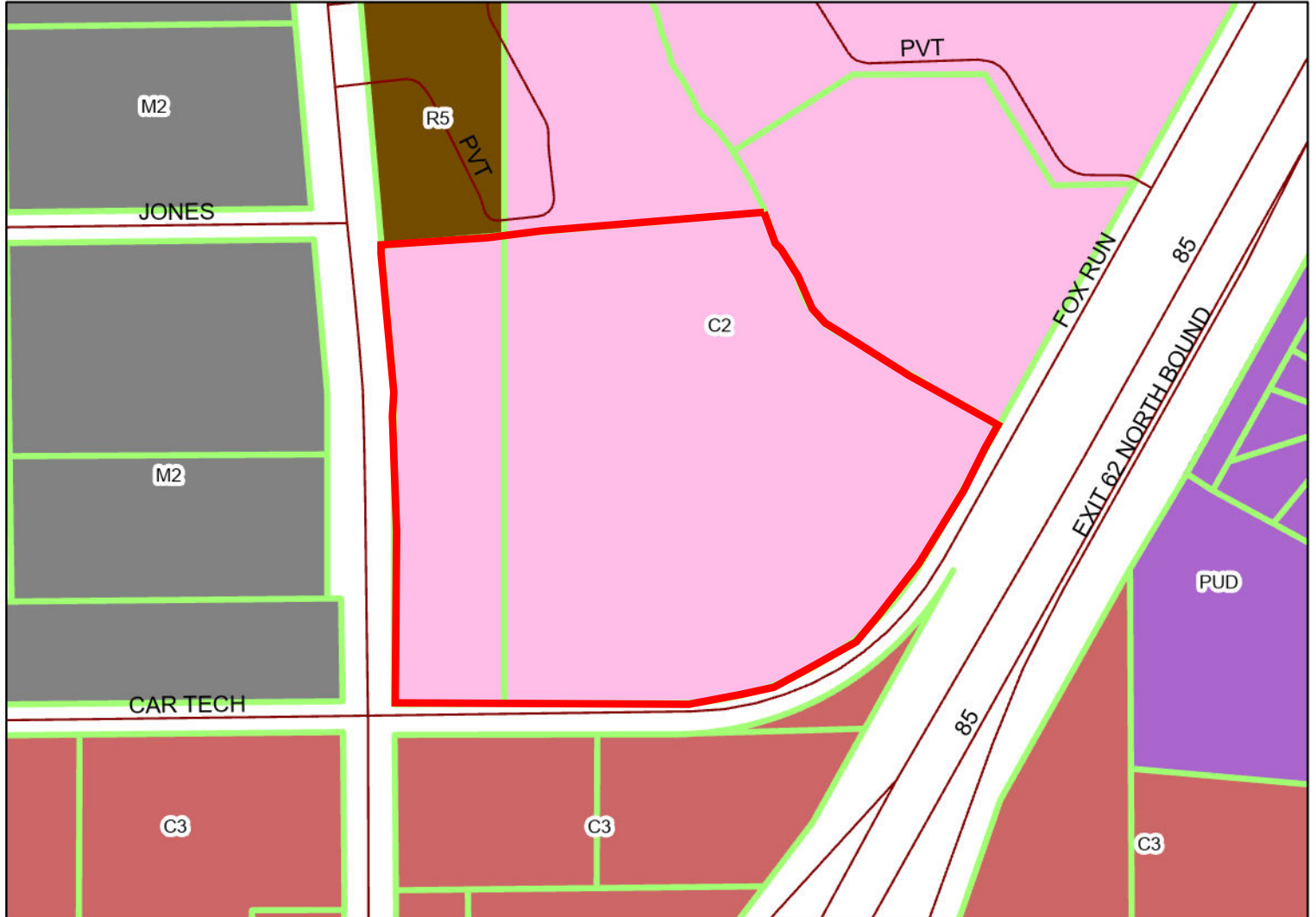
Opelika Water Report

Water service is available from an 8" hang off on the north side of Fox Run Ave.

Opelika Power Services Report

This property is in the Opelika Power service territory.

ARBOURS AT OPELIKA APARTMENTS 600 BLOCK FOX RUN PARKWAY CONDITIONAL USE, B-5



The applicant is requesting approval for a 144 unit apartment development in a C-2, GC-P zoning district (office retail, Gateway Overlay). 11 units are for the handicapped or sensory impaired, 39 units are three bedroom, 74 units two bedroom.



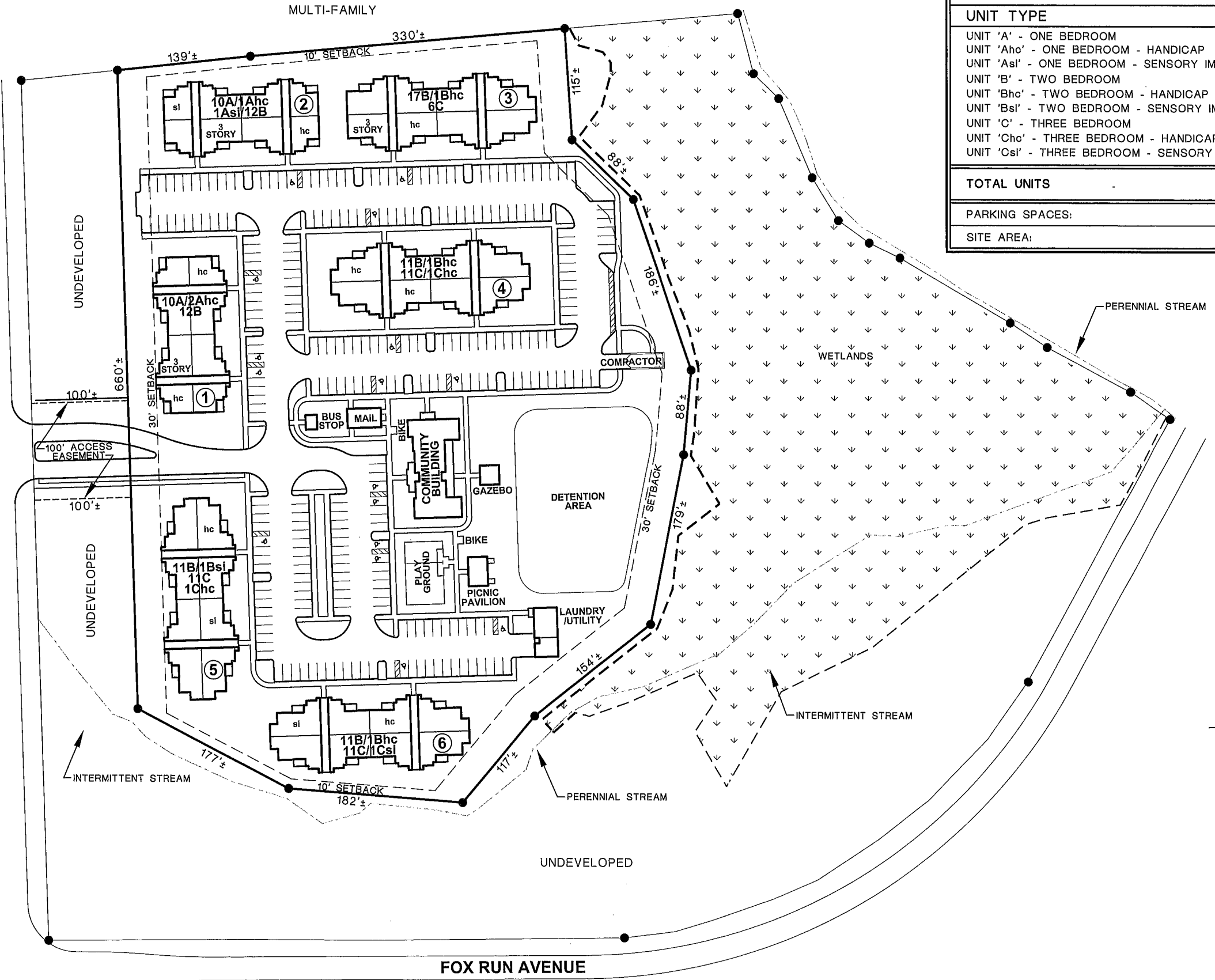
Subject Property

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

COMMERCIAL

FOX RUN PARKWAY

MULTI-FAMILY



LEGEND	
UNIT TYPE	COUNT
UNIT 'A' - ONE BEDROOM	20 UNITS
UNIT 'Ahc' - ONE BEDROOM - HANDICAP	3 UNITS
UNIT 'Asl' - ONE BEDROOM - SENSORY IMPAIRED	1 UNIT
UNIT 'B' - TWO BEDROOM	74 UNITS
UNIT 'Bhc' - TWO BEDROOM - HANDICAP	3 UNITS
UNIT 'Bsl' - TWO BEDROOM - SENSORY IMPAIRED	1 UNIT
UNIT 'C' - THREE BEDROOM	39 UNITS
UNIT 'Chc' - THREE BEDROOM - HANDICAP	2 UNITS
UNIT 'Csl' - THREE BEDROOM - SENSORY IMPAIRED	1 UNIT
TOTAL UNITS	144 UNITS
PARKING SPACES:	288
SITE AREA:	9.0 ACRES±

SCHEMATIC SITE PLAN
ARBOURS AT OPELIKA
OPELIKA, ALABAMA

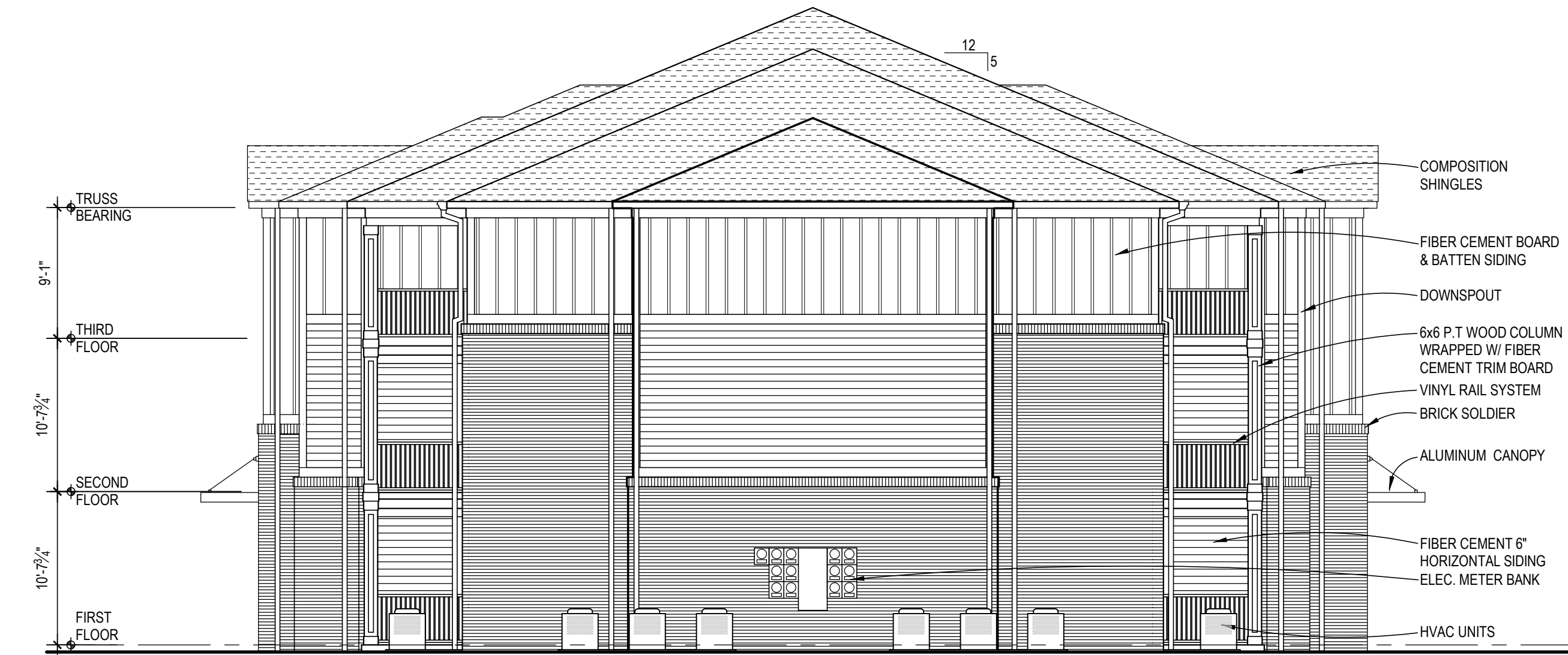
SEPTEMBER 08, 2025



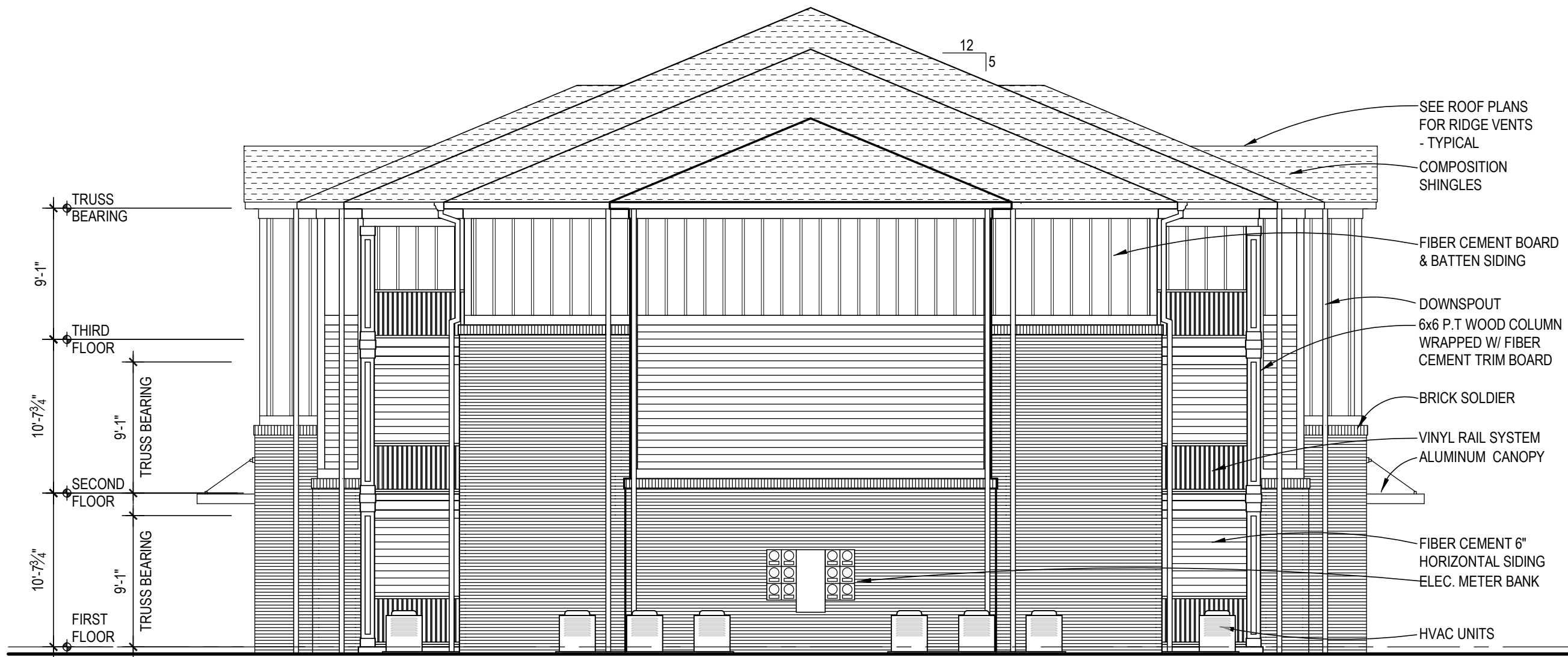


- GENERAL NOTES:**
1. PROVIDE ALUMINUM GUTTERS WITH DOWNSPOUTS TO DOWNSPOUT EMITTERS ON ALL SIDES OF BUILDINGS.
 2. PROVIDE AND INSTALL 30 YEAR WARRANTY SHINGLES AS SPECIFIED.
- ALL DRAWINGS SCALE 1/8"=1'-0"

FRONT ELEVATION - BUILDINGS 1 & 5



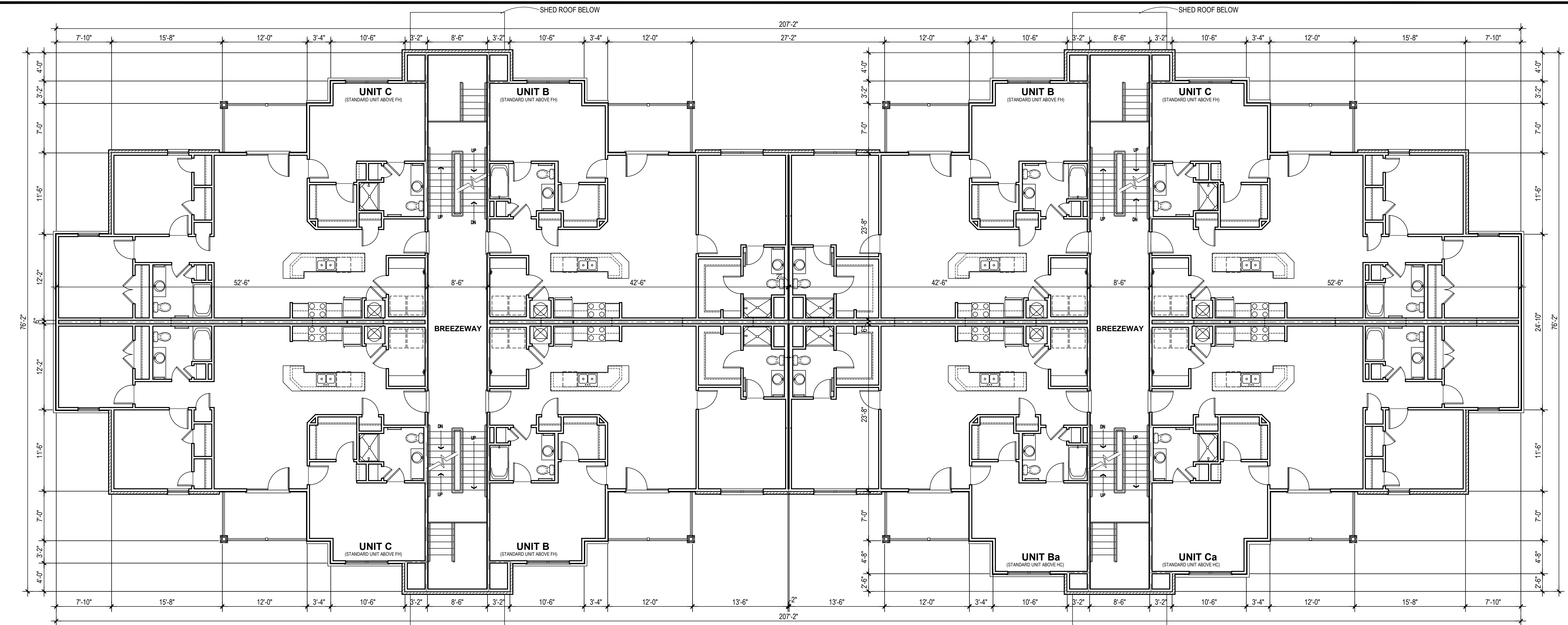
LEFT SIDE ELEVATION - BUILDINGS 1 & 5



RIGHT SIDE ELEVATION - BUILDINGS 1 & 5

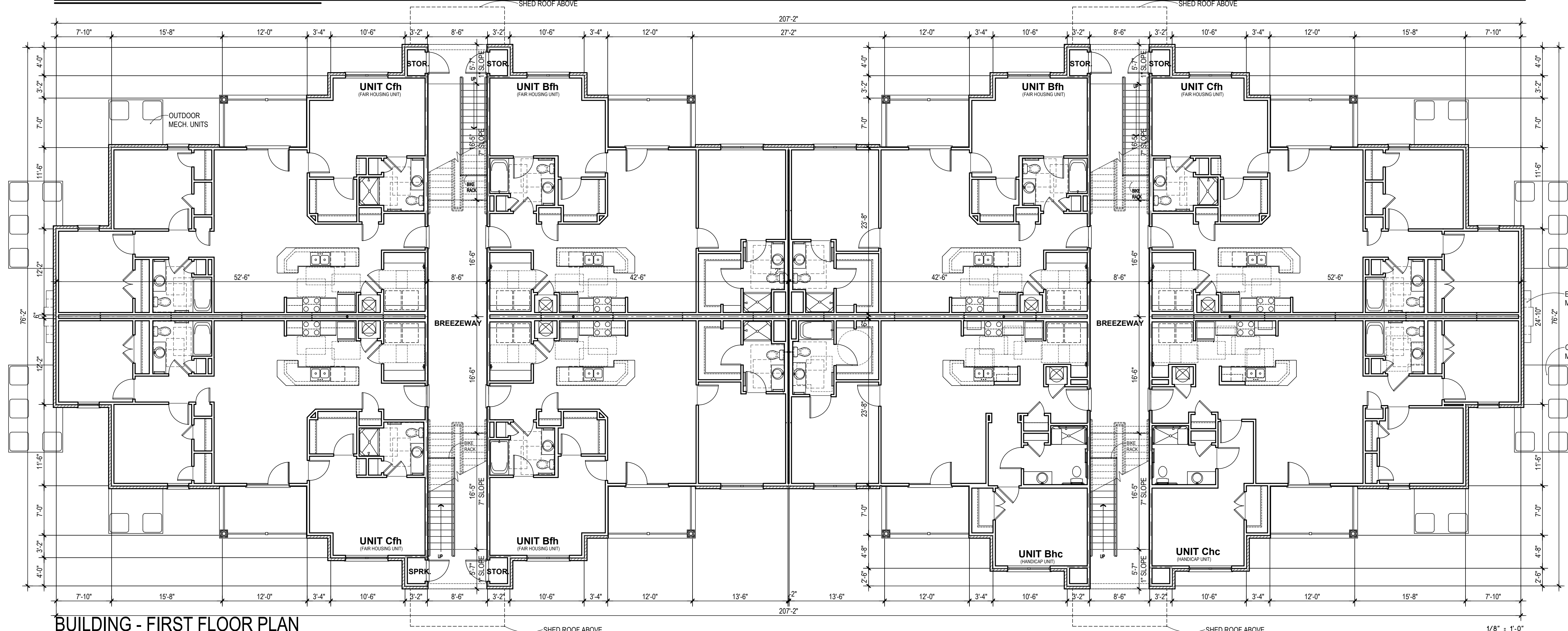


REAR ELEVATION - BUILDINGS 1 & 5



BUILDING - SECOND FLOOR PLAN

THIRD FLOOR SIM.



BUILDING - FIRST FLOOR PLAN

RATED WALL LEGEND

1 HOUR TENANT SEPARATION WALL, UL DESIGN U341

1/2 HOUR BREEZEWAY WALL, UL DESIGN U305

ALL DRAWINGS SCALE 1/8"=1'-0"

McKean & Associates
ARCHITECTS
MONTGOMERY, ALABAMA

Arbours at Opelika
OPELIKA, ALABAMA

Sheet Title:
FIRST & SECOND FLOOR PLANS

Project No:

Date:

Revised:

Sheet No:
A1

Sequence

Nov 12, 2025 - 1:03pm



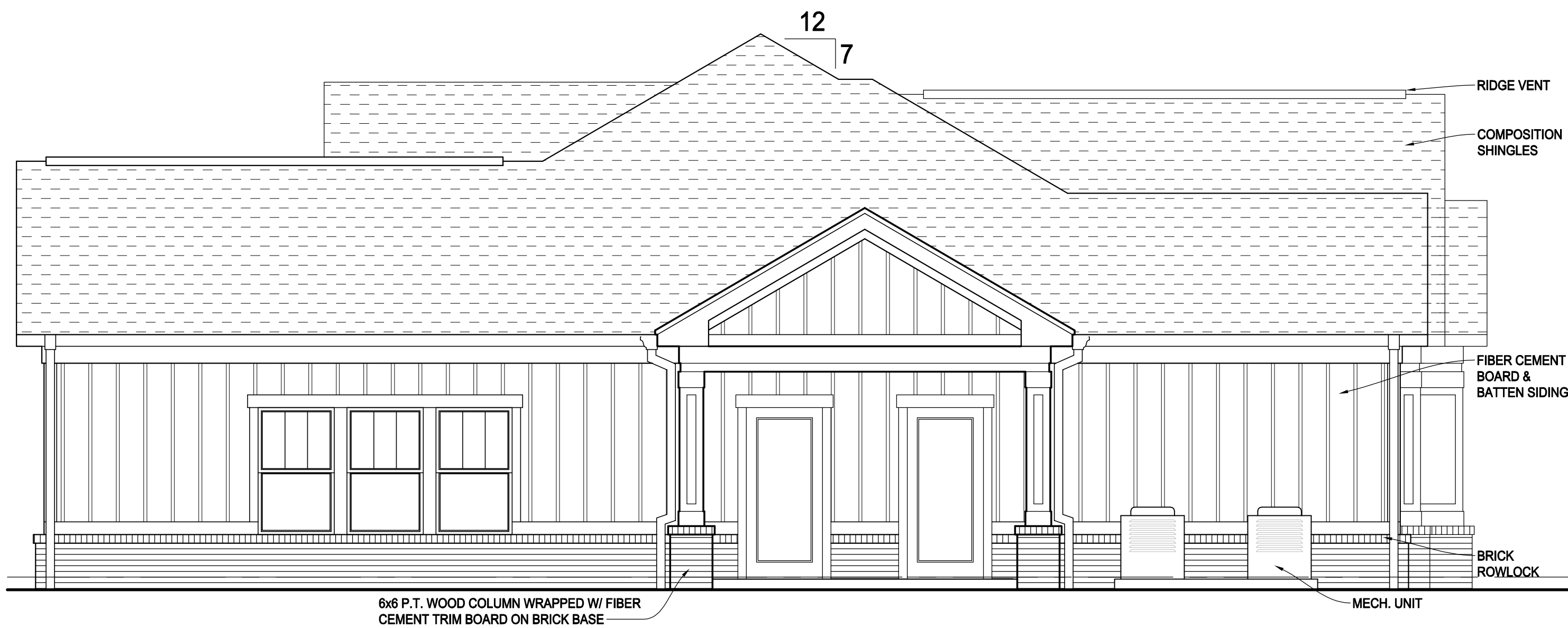
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



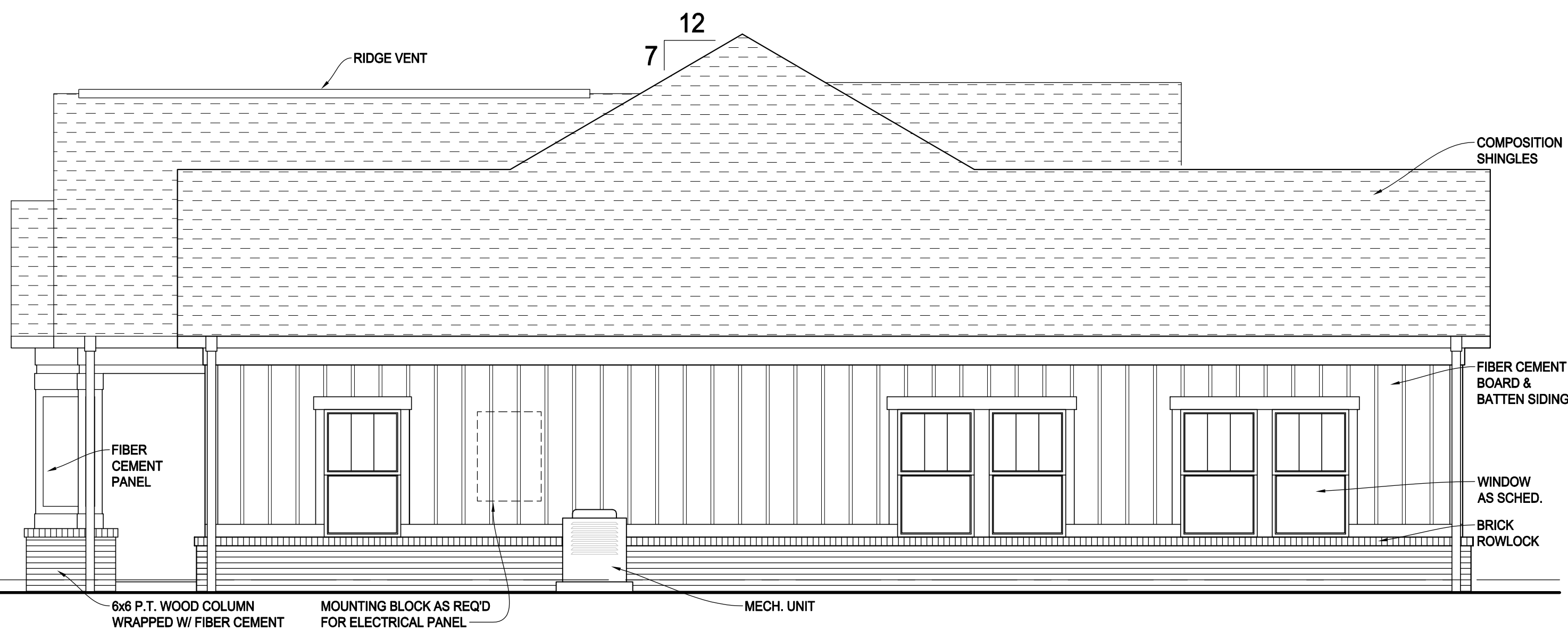
REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



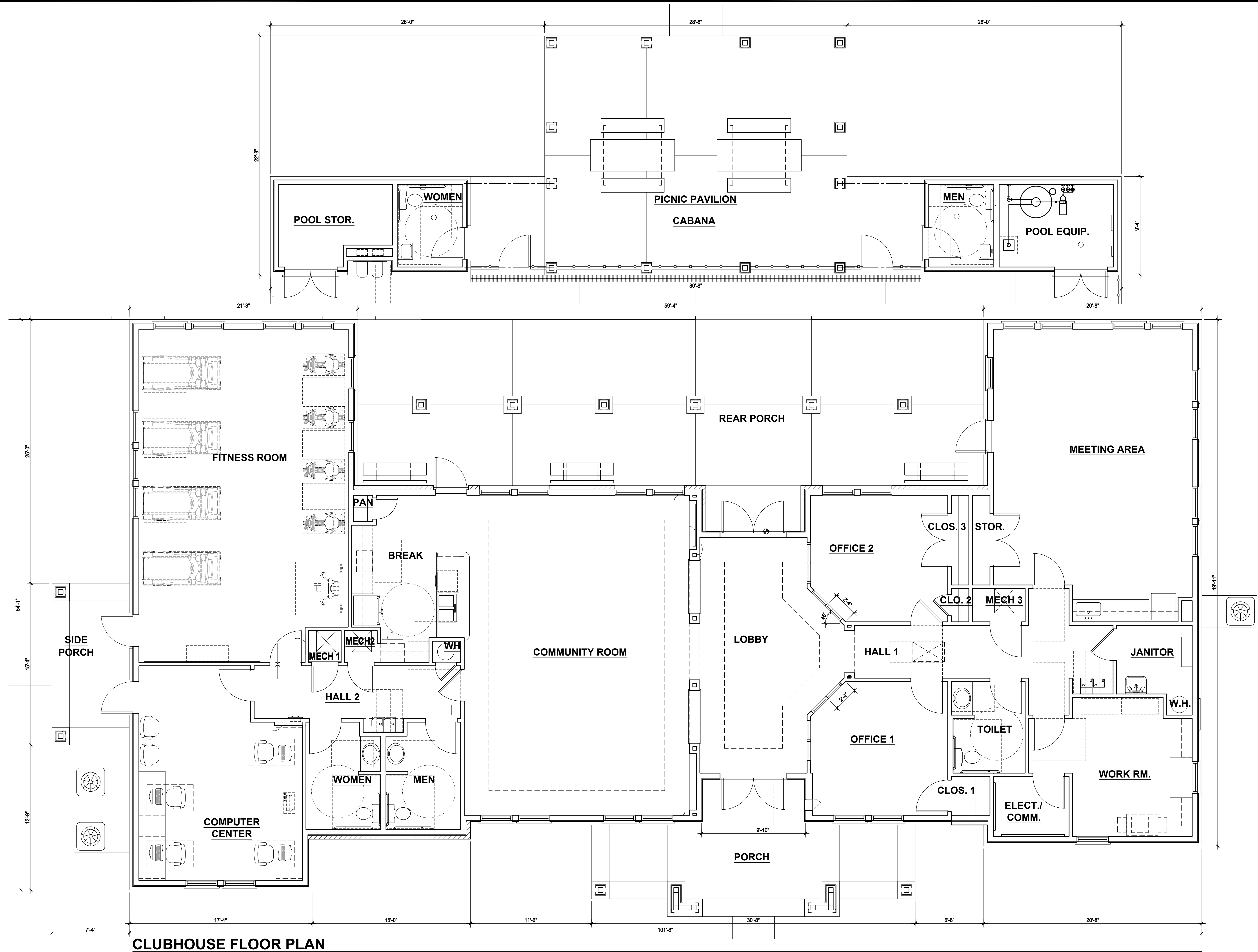
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

Sheet Title:
CLUBHOUSE
EXTERIOR
ELEVATIONS

Project No:
Date:
Revised:

Sheet No:
A4
Sequence



Agenda Item

C-6 a/b

Amendment to Comprehensive Plan & Rezoning

- a. Amendment to future land use map
2505 Anderson Road
- b. Rezoning Bill Perry 2025 Anderson Road



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
AUTHORIZED REPRESENTATIVE: Bill Perry

MAILING ADDRESS: 1611 Jemison Place

PHONE NUMBER: 334-750-6464

Email: billcperry@gmail.com

PARCEL INFORMATION

Site Address: 2505 Anderson Road

Description of proposed use: Residential Subdivision

Tax Parcel Number: 03083 4 0000005000 Delta Plan 3202 4

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

Current Land Use: Undeveloped

Current Zoning: R3

Proposed Zoning: R4

Number of APO: 5 x \$7.00 = \$ 35⁰⁰
(Adjacent Property Owners)

Fee: \$125.00

TOTAL

\$160⁰⁰

PAID: _____

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

Tax Map parcel number 0308340000005000

be rezoned from

R3 to R4

to _____

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

OWNERS OR AUTHORIZED

REPRESENTATIVE SIGNATURE: James David Perry

10/08/2025

(PRINT NAME)

James David Perry

DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

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

Property Owner's Signature [Signature] Date 10/08/2025

STATE OF ~~ALABAMA~~ TEXAS

COUNTY OF ~~LEE~~ Montgomery

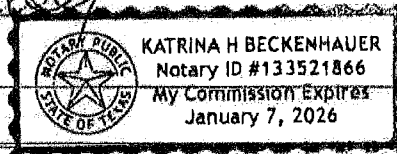
Katrina Beckenhauer

I, James David Perry, a Notary Public in and for said County and State, hereby certify that James David Perry, 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 9th day of October, 2025

[Signature]
Notary Public

My Commission Expires: _____



REZONING APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Complete the 'Authorization to Act as Applicant', if applicable
3. Complete the Rezoning Petition below including signature(s) of property owner(s) and signature(s) notarized
4. Provide Legal Description of rezoning property (same as Exhibit A on petition) *Legal description(s) on deed(s) may serve as legal description if complete.*
5. Provide Map of Rezoning area (same as Exhibit B on petition)
6. Provide copy of the current Deed(s) for the rezoning property
7. Provide List of Adjacent Property Owners on separate sheet.
8. Rezoning Fee = \$125 application fee plus \$7.00 each certified letter. Checks payable to the City of Opelika.

PETITION FOR REZONING

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

Come now the undersigned (hereinafter referred to as the "Petitioners"), represent and show unto your Honors as follows:

1. The Petitioners are the majority of the property owners, owning the majority of property hereinafter described, as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

2. There is attached hereto as Exhibit "B" and made a part of this Petition, a map of the above described territory which is proposed to be rezoned.

Come now the petitioners respectfully ask the City Council of the City of Opelika to amend its Zoning Ordinance to change the zoning designation of the area described from a R3 zoning district to a R4 zoning district.

Notary Public

My Commission Expires: _____

NOTARY SIGNATURES

Before me, _____,
a Notary Public in and for said County and State, hereby
certify that _____
whose name is signed to the foregoing petition as
_____. [President, Chairman, etc.]

of _____,
[Corporation, City], and who is known to me, acknowledged
before me on this date that be 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 _____ day

_____, Notary Public

(print name)

(address)

(city, state, zip)

BY: _____
(signature)

ITS: _____
(title)

DATE: _____

I, the undersigned authority, a Notary Public in and for
Said County and State, hereby certify that

James David Perry
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
11th day of October, 2025

[Signature] Notary Public

[Signature]
(Signature)

James David Perry
(print name)

32 Anderson Bay Way
Spring, TX 77380

(mailing address)

DATE: 10/09/2025

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: _____

KATRINA H BECKENHAUER
Notary ID #133521866
My Commission Expires
January 7, 2026



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 18, 2025

Agenda Item #: C-6

Action Requested: Rezoning from R-3 to R-4

Location of Property: 2502 Anderson Road

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

Current Land Use: Vacant

Current Zoning: R-3

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

Staff Comments:

The applicant is requesting rezoning of 20.1-acres from the R-3 zoning district to the R-4 zone. This rezoning request is for the same property that City Council approved a rezoning from R-1 to R-3 at the May 20, 2025 City Council meeting. Below is a comparison of the area requirements in the R-3 and R-4 zoning districts:

	<u>R-3 Zoning District (Current)</u>	<u>R-4 Zoning District (Proposed)</u>
• Minimum Lot Size ...	10,000 square feet ...	7,500 square feet
• Density	3.5 dwelling units per acre	9 dwelling units per acre
• Land Use Category	Medium-density residential	High-density residential
• Allowed Dwellings	Single-family homes allowed, Duplexes allowed with Conditional use approval)	Single-family homes allowed Duplexes, apartments, and townhomes (with conditional use approval)

The R-4 zoning request is a significant density increase from 3.5 dwellings per acre to 9 dwellings per acre. Most properties on Anderson Road especially on the west side are characterized rural than a high-density R-4 zone. A rezoning to a more transitional zone, for

example, from R-1 to R-2 or R-3 is more compatible with the existing rural low-density character of this area on Anderson Road.

In 2005 a rezoning on the east side of Anderson Road was approved from R-3 to PUD. The single-family home section of the Anderson Lakes PUD is 111 lots on 49 acres and density is 2.26 dwellings per acre; the 111 lots range from 8,700 to 21,000 square feet. The Anderson Lakes PUD density is close to the density of the R-2 zone at 2.5 du/ac and the R-3 zone density at 3.5 du/ac. The R-4 zone minimum lot size is 7,500 square feet; R-4 density is 9 dwellings per acre. Apartments or townhomes are granted conditional use approval in the R-4 zone.

Staff Recommendation

On the Future Land Use Map of the Comprehensive plan, the west side of Anderson Road including the rezoning property is in a medium density land use category (R-2 or R-3 zone); the rezoning request to a R-4 zone is a high-density land use category with 9 du/ac. The R-4 rezoning request is inconsistent with the Future Land Use Map. The R-4 zone with a minimum 7,500 sf lot size allows a higher number of single-family homes. The 7,500 square foot lots would create an unexpected transition in neighborhood scale and a sudden change from the existing rural character on the west side of Anderson Road.

The staff report presented at the March 2025 PC meeting for the rezoning from R-1 to R-3 included “... *the infrastructure capacity (public sewer) would need to be improved for the extra number of smaller lots allowed with a rezoning from R-1 to the R-3 zone.*” In today’s rezoning request to R-4, the minimum lot size is even smaller at 7,500 square feet compared to the minimum 10,000 sf lot size allowed in the R-3 zone. The total number of single-family home lots will increase in the 20.1 acres with a smaller 7,500 sf minimum lot size allowed in the R-4 zoning district.

Also, the March 2025 staff report states that existing sewer capacity is not available for the 10,000 sf lots allowed in a R-3 zone, and a rezoning approved to R-3 is subject to “no development will be allowed until infrastructure is improved.”

Planning staff recommends that the rezoning request to R-4 be denied based on the comments in this report. If the rezoning to R-4 is approved, then no development will be allowed until infrastructure is improved.

Engineering Department Report

Engineering has no comments regarding the proposed Rezoning approval.

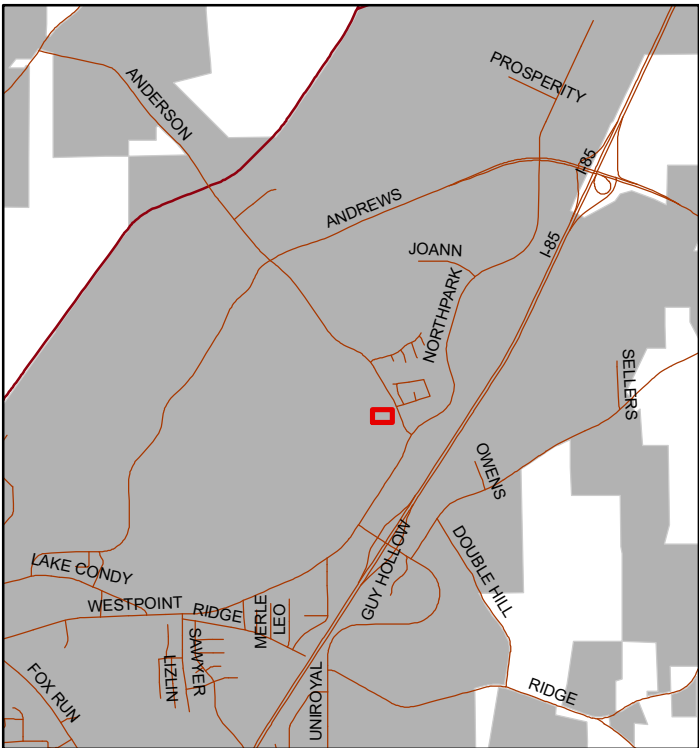
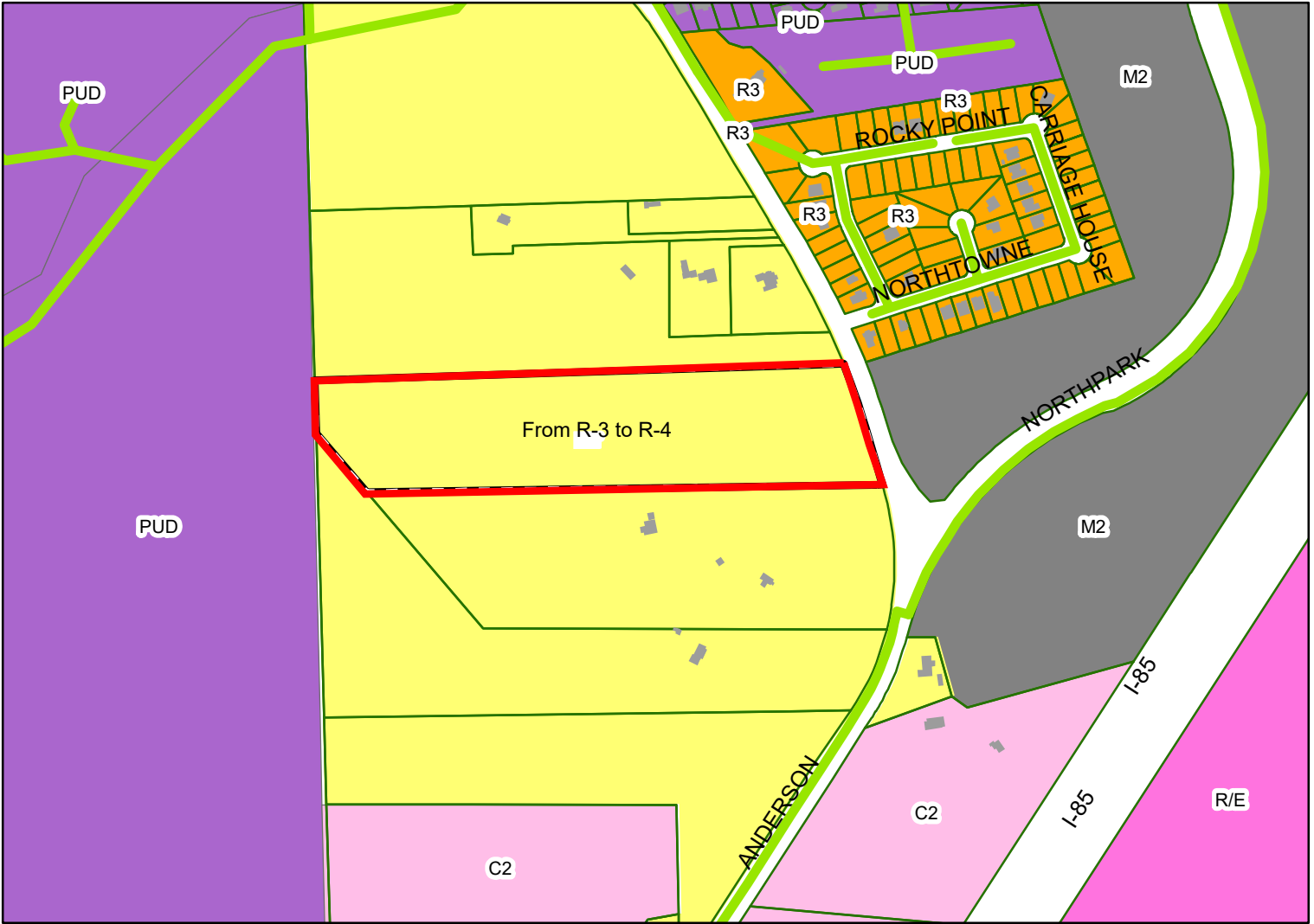
Opelika Water Report

Opelika Water: Water service is available from a 16" main on the west side of Anderson Rd.

Opelika Power Services Report

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

PERRY REZONING 2505 ANDERSON ROAD R-3 to R-4, #C-6

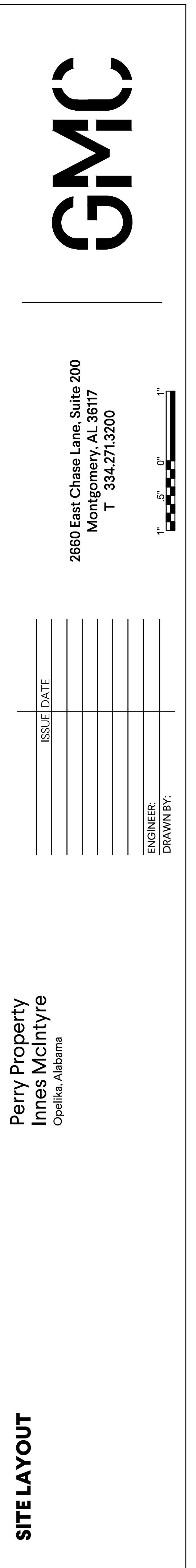


In May 2025, City Council approved this 20 acre rezoning from R-1 to R-3 for single family homes - R-3 = 10,000 sf lots, density 3.5 d.u./ac, duplex w/ CU. The applicant now requesting a R-4 zone for 7,500 sf lots with density 9 d.u./ac. Duplex, apartments, townhomes allowed with CU approval.



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



Agenda Item

C-7 a/b

Amendment to Comprehensive Plan & Rezoning

- a. Amendment to future land use map
2209 Lafayette Parkway
- b. Rezoning WRO, LLC
2209 Lafayette Parkway



REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: WRO LLC.
 MAILING ADDRESS: 797 Barkley Crest Circle Auburn, AL 36830
 PHONE NUMBER: 334.220.2627 Email: will59rob@gmail.com

PARCEL INFORMATION

Site Address: 0 Lafayette Pkwy Opelika, AL 36801
 Description of proposed use: General Commercial/Townhouse/Multifamily

Tax Parcel Number: 43 03 09 32 3 000 002.000Adjacent Zoning Districts: North: C3 South: C3 East: M-1 West: _____Current Land Use: VacantCurrent Zoning: M-1 / GC-PProposed Zoning: C-2, C-3Number of APO: 1 x \$7.00 = \$ 7.00
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = 132.00**PAID:** _____

I hereby request my property located at (street address) 0 Lafayette Pkwy Opelka, AL 36801,
 Tax Map parcel number 43 03 09 32 3 000 002.000 be rezoned from
M-1 to C3. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE:	
(PRINT NAME)	
	DATE

PETITION FOR REZONING

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

Come now the undersigned (hereinafter referred to as the "Petitioners"), represent and show unto your Honors as follows:

1. The Petitioners are the majority of the property owners, owning the majority of property hereinafter described, as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

2. There is attached hereto as Exhibit "B" and made a part of this Petition, a map of the above described territory which is proposed to be rezoned.

Come now the petitioners respectfully ask the City Council of the City of Opelika to amend its Zoning Ordinance to change the zoning designation of the area described from a M-1 / GC-P zoning district to a C-2, C-3 zoning district.

Notary Public

My Commission Expires: _____

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

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

Property Owner's Signature _____ Date _____

STATE OF ALABAMA

COUNTY OF LEE

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

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

Notary Public

My Commission Expires: _____

REZONING APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 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. Complete the 'Authorization to Act as Applicant' , if applicable
3. Complete the Rezoning Petition below including signature(s) of property owner(s) and signature(s) notarized
4. Provide Legal Description of rezoning property (same as Exhibit A on petition) *Legal description(s) on deed(s) may serve as legal description if complete.*
5. Provide Map of Rezoning area (same as Exhibit B on petition)
6. Provide copy of the current Deed(s) for the rezoning property
7. Provide List of Adjacent Property Owners on separate sheet.
8. Rezoning Fee = \$125 application fee plus \$7.00 each certified letter. Checks payable to the City of Opelika.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 18, 2025

Agenda Item #: C-7

Action Requested: Rezoning 6.1 acres from M-1, GC-P to C-3 , GC-P

Location of Property: 2209 Lafayette Parkway

Property Owner(s): WRO, LLC (William Ogletree)

Current Land Use: Vacant Metal Building

Current Zoning: M-1, GC-P

Adjacent Zoning/Land Use: North: C-3, GC-P (Wilson’s Woodyard)
South: R-4 and I-1 (Residential and Institutional)
East: R-4 (Residential)
West: M-1 (West Fraizer Mill)

Staff Comments:

Future Land Use

The 2040 Future Land Use Map shows the subject property in a “Local Commercial” land use category. The description of local commercial is much more in line with C-3, GC-P then the M-1, GC-P zoning district classification. In the area, the primary uses surrounding this lot are residential and manufacturing zones with existing industrial uses. To the south there are many thriving educational/institutional. Uses going north, the lots are mostly residential and larger with some backing up to a railroad but zoned C-3, GC-P. The owner has not shared any future development plans beyond application information. Planning staff believe the C-3, GC-P zoning is appropriate if the zoning requirements, infrastructure and capacity are confirmed and installed at the time of a future development.

Rezoning

The applicant requests to rezone the property at 2209 Lafayette Parkway from M-1, GC-P zoning to C-3, GC-P (general commercial) zone. This request is unique because it would reduce some heavier uses in allowed on this property. However, the C-3 zone allows a greater variety of uses. Many of those uses would be more appropriate and fit better on this property. The lot will meet the C-3, GC-P zoning requirements. The applicant has proposed general uses of commercial and townhome/multifamily. Townhomes/multifamily uses would also require additional conditional

use approvals. No drawings or specific details were provided about the future use. Rezoning from M-1, GC-P to C-3, GC-P would allow the proposed use of general commercial, or any other uses currently allowed by right in our Zoning Ordinance.

Just beyond this property is Wilson’s Woodyard. Across the street are single-family homes and townhomes. This heavily traveled area is a key entrance into the City. From both an intensity and a gateway corridor perspective, a C-3 zoning is more suitable than an M-1 zoning district. This use does directly join a railroad, primarily single-family and institutional zones to the south. Surrounding uses include residential, industrial, institutional, and commercial primarily outside. Most of the industrial uses are located across the railroad tracks or below the bridge. This property adjoins a bridge over the railroad, is adjacent to the railroad, and in the Gateway Corridor. The less intense zoning of C-3, GC-P is appropriate between high traffic and lower traffic areas, such as single-family residential. Permitted general commercial uses that would be allowed by right in the C-3 zone are defined in the ordinance as “retail, individual businesses, small strip centers, banks, fast-food, grocery stores, and similar uses (Section 6.4 Purpose and Intent of Zoning Districts).” The Gateway Corridor zoning would apply to the proposed uses also.

Staff recommends approval of the rezoning request from M-1, GC-P to C-3, GC-P.

Engineering Department Report

Engineering has no comments regarding the proposed Rezoning approval.

Opelika Water Report

Opelika Water: There is an existing 16” water main that runs through this property. No comments on rezoning request.

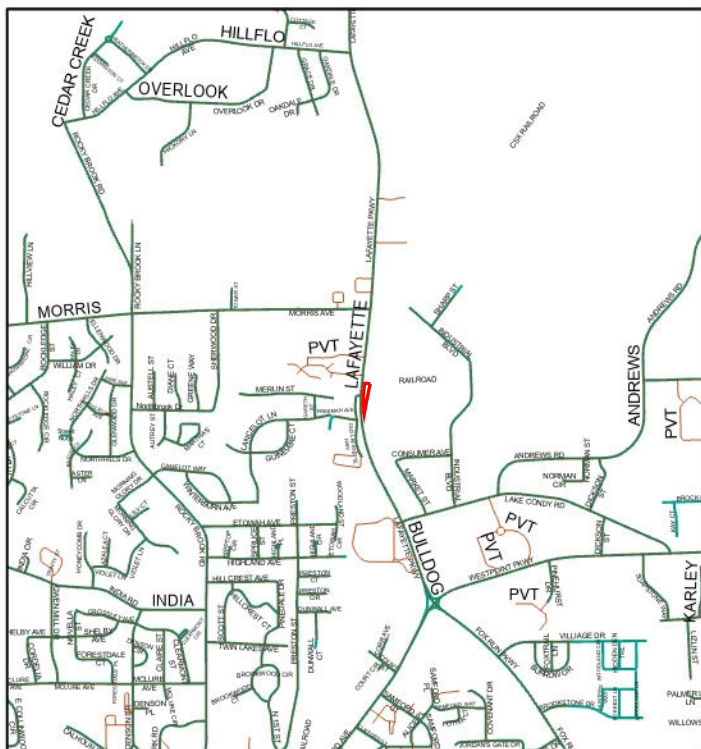
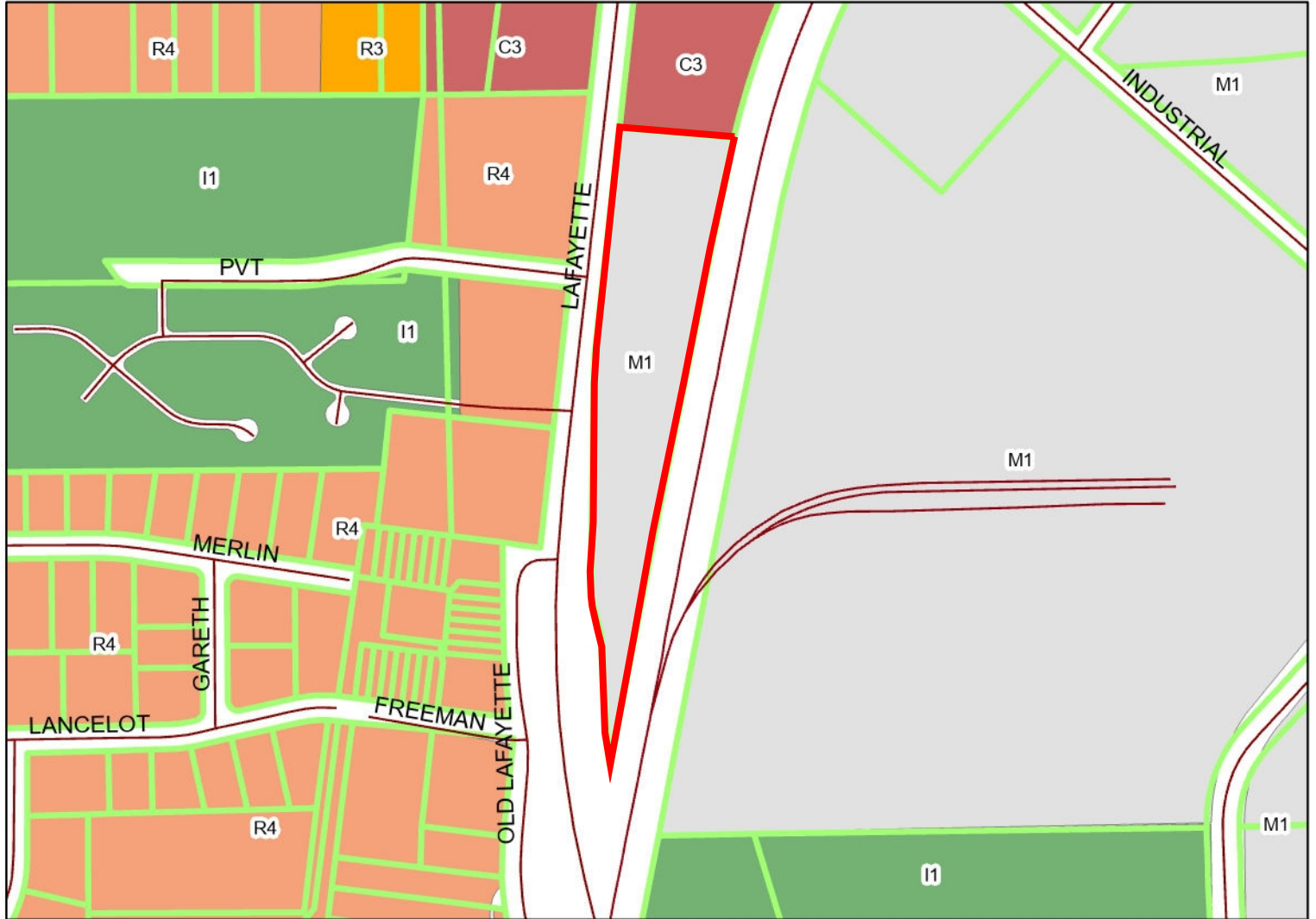
Opelika Power Services Report

This property is in the Opelika Power service territory.

OGLETREE REZONING REQUEST

2209 LAFAYETTE PARKWAY

M-1, GC-P TO C-3, GC-P, #C-7



The applicant is requesting to rezone 6.1 acres to C-3, GC-P (general commercial) for a commercial and multi-family (apartment or townhomes) development.



Subject Property

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Agenda Item

C-8 a/b

Rezoning &

Amendment to Future Land Use

- a. Rezoning, Clark Adams Investments, LLC
Gateway Drive
- b. Amendment to Future Land Use
Gateway Drive, 5.1 Acres

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 10/22/25 PC MEETING: 11/18/25

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Blake Rice, BSI, Inc.MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801PHONE NUMBER: 334-745-7026 Email: brice@bsies.com**PARCEL INFORMATION**Site Address: Gateway DriveDescription of proposed use: Multi-family Residential & Commercial43-09-06-14-3-000-138.000, 43-09-06-23-2-000-002.002, 43-09-06-23-2-000-001.000, 43-09-06-23-1-000-013.000Tax Parcel Number: 43-09-06-23-1-000-012.000, 43-09-06-23-1-000-012.001, 43-09-06-23-1-000-001.000, 43-09-06-14-4-000-064.009Adjacent Zoning Districts: North: C2/C3 South: C2/R4 East: C2 West: R4Current Land Use: VacantCurrent Zoning: PUDProposed Zoning: Revised PUDNumber of APO: 16 x \$7.00 = \$ 112.00
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = \$237.00**PAID:** _____

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

OWNERS OR AUTHORIZED

REPRESENTATIVE SIGNATURE: Blake Rice(PRINT NAME) Blake Rice, BSI, Inc.10/15/25

DATE

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	November 18, 2025		
Agenda Item #:	C-8		
Action Requested:	Amendment to the Future Land Use Map and Rezoning - 5.1 acres Amendment- from medium density residential to Mixed Use land use category, Rezoning - from R-4 to PUD (Adding 5.1 acres to existing PUD zone)		
Location of Property:	2001 Cuningham Drive		
Property Owner:	Gateway Development, LLC, Cornerstone LLC, and Clark Adams Investments, LLC Barrett-Simpson, Inc. (authorized representative)		
Current Zoning:	R-4		
Proposed Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	PUD	Undeveloped
	South	R-4	Single family homes
	East	PUD	Undeveloped
	West	R-4	Residential & Undeveloped

At the March 2024 meeting, the Planning Commission voted to recommend City Council approval for a 98.8-acre rezoning to a PUD zoning district. The PUD is a mixed-use commercial and residential development located next to a street project that extends Thomason Drive from Gateway Drive to Cunningham Drive. At the May 21, 2024 meeting, the City Council approved the 98.8-acre Thomason Drive Extension PUD (Ord #004-24).

The developer is submitting a rezoning request to add a 5.1-acre parcel to the Thomason Drive PUD. The rezoning property fronts on Cunningham Drive (2001 Cunningham Drive). A map is on page 4 shows the 5.1 acre rezoning property and the 98.8 acre PUD.

Amendment to the Future Land Use Map:

The 2040 Future Land Use Map shows the 5.1-acre property in a medium density residential land use category. The adjacent properties on the north and east sides are in a mixed-use land use category and owned by the PUD developer. The adjacent properties on the west and south sides of the rezoning property are in a high-density land use category. All adjacent properties on the west side of face Cunningham Drive.

Staff Recommendation:

Staff recommends approval of an amendment to the Future Land Use map for the 5.1 acres from a “medium density residential” land use category to a “mixed use” land use category so the property is consistent with the goals and purposes of the Comprehensive Plan and the surrounding properties.

Rezoning:

The developer is requesting that a 5.1-acre lot (345 x 650 est.) be rezoned to PUD, so the lot can be added to the adjacent PUD zoning district. The existing 98.8-acre PUD was approved by City Council in May 2025. Cunningham Drive borders the rezoning property on the west side. If the 5.1-acre rezoning is approved and added to the PUD, then the 5.1-acre property will be the west border of a 102.6-acre PUD. The Thomason Drive street extension project will connect Gateway Drive to Cunningham Drive. The new intersection at Gateway Drive and Cunningham Drive will be located on the west boundary line of the 5.1-acre rezoning property.

The rezoning property will also be the west end of the Thomason Drive street project that extends Thomason Drive to Cunningham Drive. A portion of the 5.1-acre rezoning property will be dedicated to the street project.

The developer’s PUD narrative includes a map of the 102.6-acre site with 13 pod locations. Also, a pod matrix table is included that has allowed commercial and/or residential land uses for each pod. The uses for each pod are based on compatibility with surrounding uses or general location. The uses listed for Pods 1 to 12 were approved when the 98.8-acre rezoning was approved. The applicant is proposing some minor changes to the previously approved pods. Pod #13 is the 5.1-acre rezoning property added to the pod list that requires Planning Commission’s review and then a recommendation to the City Council. In the Master Development Plan Narrative, a matrix table for Pod 13 is provided with the proposed allowed uses for Pod 13.

The developer has proposed adding the use Package Liquor Store to the table. Allowing it in Pod 1, Pod 10, and Pod 13. There are many larger grocers and retailers that co-locate these package stores

with their facilities. The matrix also changes Convenience Gas Station from not allowed in Pod 10 to allowed. This was an oversight in the original narrative.

The allowed uses selected for Pod 13 are all commercial uses and excludes residential uses. The Thomason Road and Cuninghame Drive intersection will be on the west property line of Pod 13. Pod 13 is expected to serve the immediate commercial needs of the residential pods and nearby areas. The commercial uses outright allowed in pod 13 include retail stores, maximum of one auto maintenance shop, one convenience store & gas station, manufacturing inside an enclosed building no outside activities, office of contractor with no outside equipment and material, storage inside an enclosed building only, restaurant, veterinarian, and medical related uses. The narrative prohibits those uses that require outside storage, outside display of products or equipment, and prohibits business activities that are conducted outside an enclosed building. Examples of uses prohibited: auto dealerships, building material retail, car washes, contractor with material/equipment yard

If the rezoning is approved, the 5.1-acre rezoning property must also follow the design guidelines and area requirements that are approved for the 98.8-acre PUD. The area requirements include the following:

- Non-single-family properties must have a set percentage of masonry cladding
- All properties must meet or exceed the required buffers or landscaping requirements for the city.
- Design standards for commercial buildings must be followed.
- The Gateway Corridor along Thomason Drive must be protected.

The setbacks for the commercial portions of the PUD are intended to follow the standards of the Gateway Corridor -Secondary Overlay.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the 5.1-acre property from C-2 to PUD and approve the allowed uses for Pod 13 as provided in the applicant's "Thomason Drive Extension, Master Development Plan Narrative, October 15, 2025" and subject to the following:

1. All building exterior materials and screening requirements shall meet Section 7.6 Gateway Corridor Overlay requirements where more stringent standards have not been proposed.
2. All utilities shall be underground.
3. Sidewalks shall be located on both sides of all public streets.
4. The development shall provide cross-access through pods where uses are similar.
5. All other previously approved conditions of the original approval.

Engineering Department Report

Engineering has no comments regarding the proposed Rezoning approval.

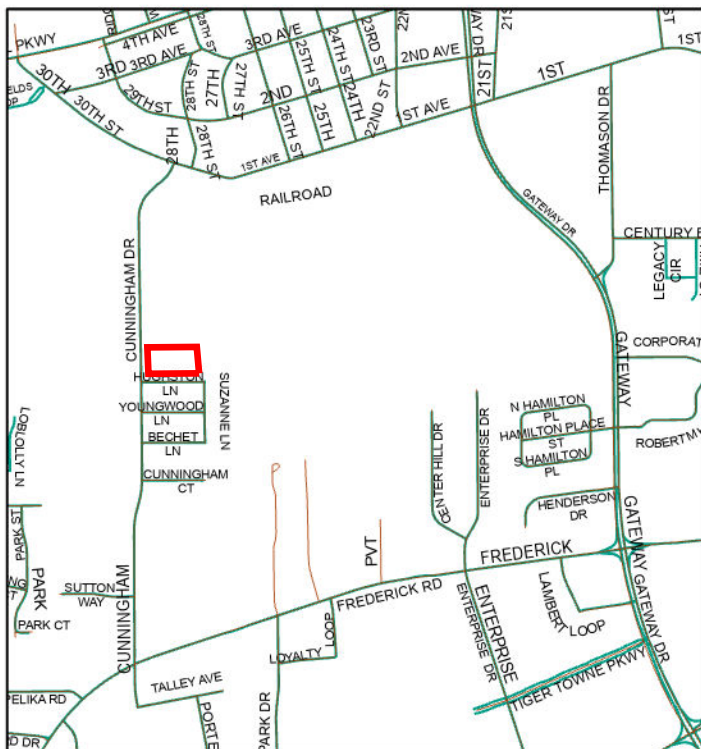
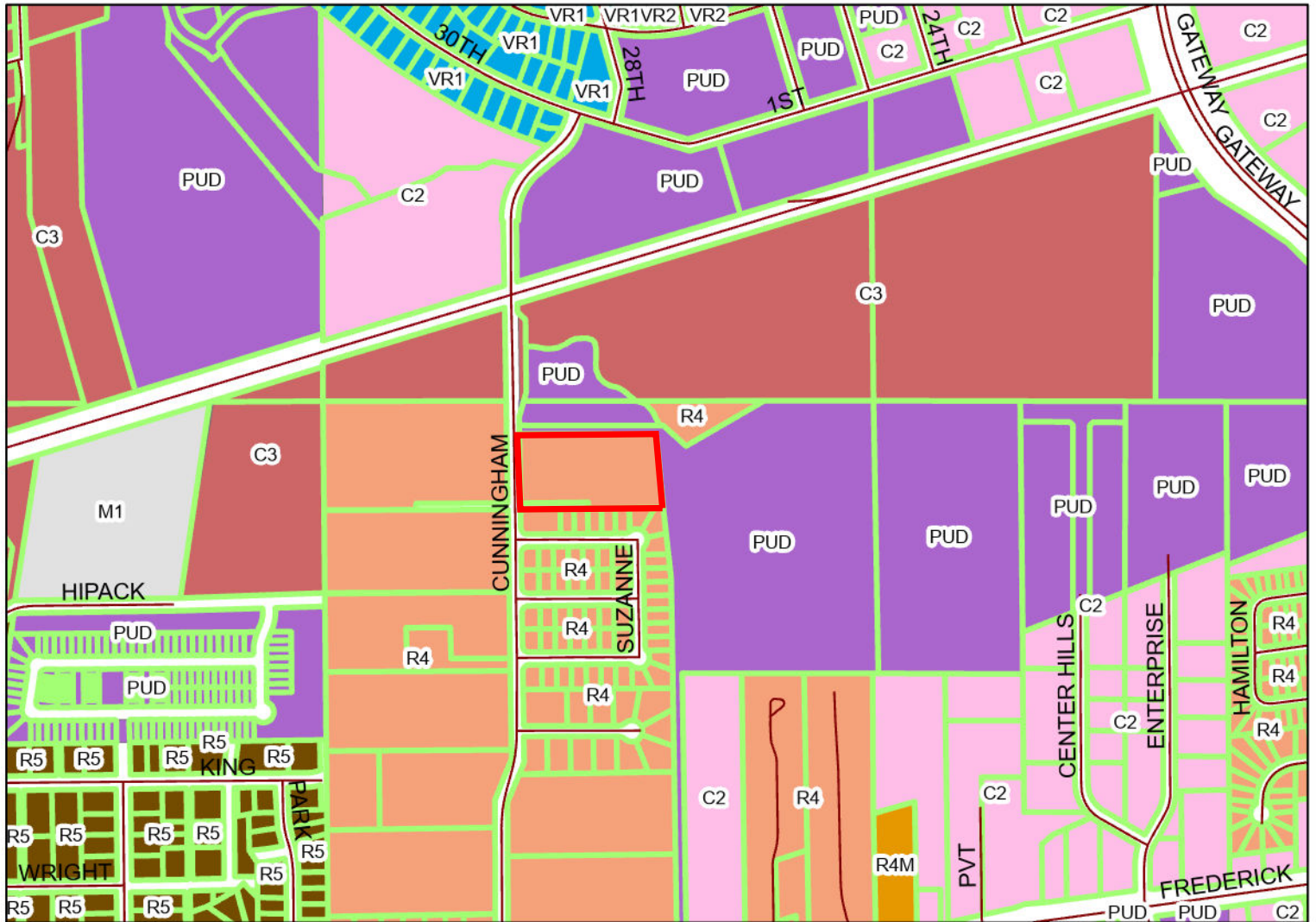
Opelika Water Report

Water is available from the east side of Gateway Dr and the west side of Cunningham Dr. The developer will be responsible for bringing water along future Thomason Dr to the point of connection needed for each development. Connections at both ends of Thomason Dr will be required.

Opelika Power Services Report

This property is in the Opelika Power service territory.

REZONING - ADDITION to the THOMASON DRIVE EXTENSION PUD 2001 CUNNINGHAM DRIVE R-4 TO PUD, C-8



The applicant is requesting rezoning 5.1 acres to the Thomason Drive Extension PUD. The 5 acres is adjacent to the PUD on the north and east sides. If approved, the PUD will be 102 acres.

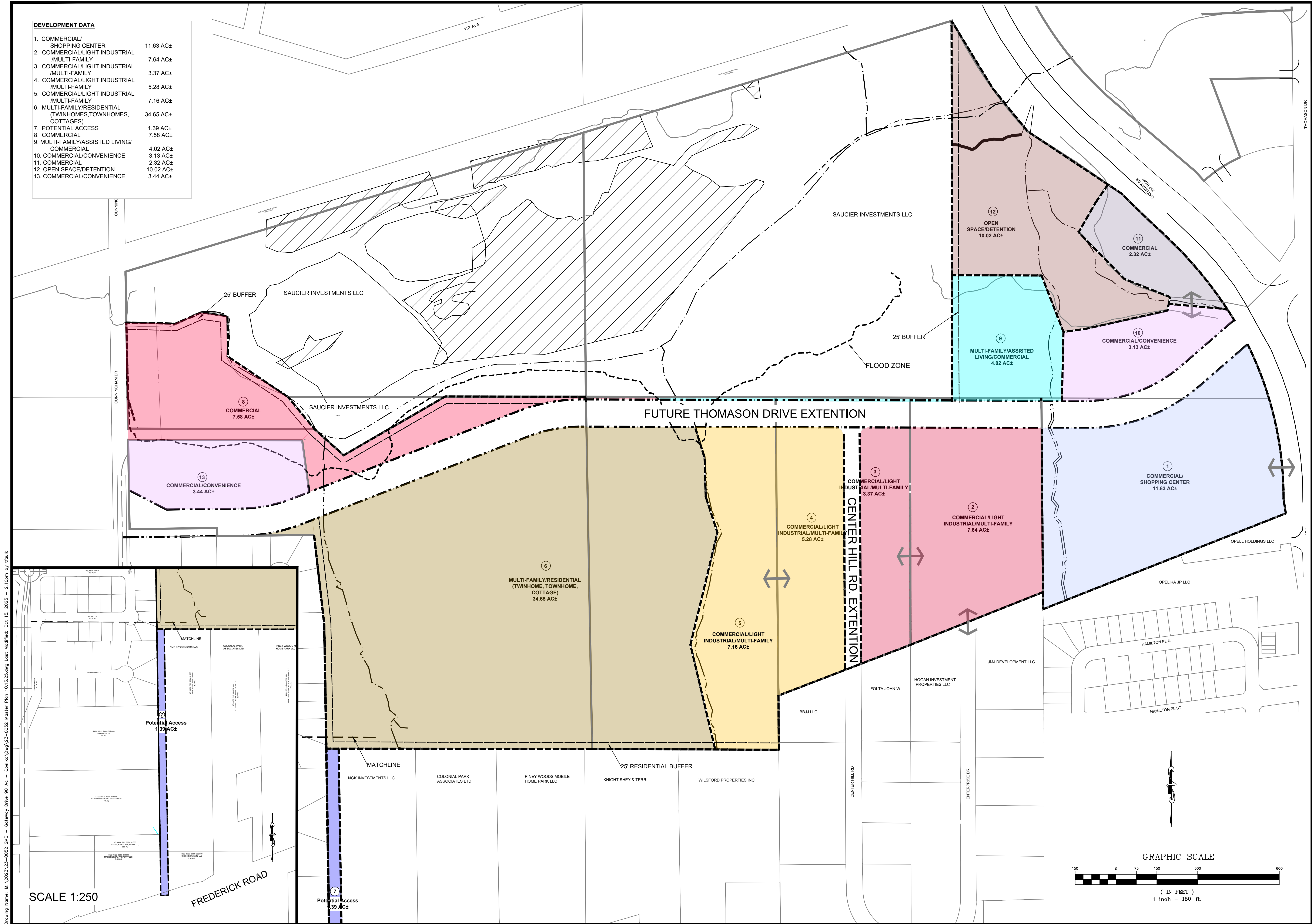


Subject Property

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

Drawing Name: AL 2023\23-0052 SMB - Gateway Drive 90 Ac - Opelika.dwg 23-0052 Master Plan 10.12.25.dwg Last Modified: Oct 15, 2025 - 2:10pm by lsauls

- DEVELOPMENT DATA**
- | | |
|--|-----------|
| 1. COMMERCIAL/
SHOPPING CENTER | 11.63 AC± |
| 2. COMMERCIAL/LIGHT INDUSTRIAL
/MULTI-FAMILY | 7.64 AC± |
| 3. COMMERCIAL/LIGHT INDUSTRIAL
/MULTI-FAMILY | 3.37 AC± |
| 4. COMMERCIAL/LIGHT INDUSTRIAL
/MULTI-FAMILY | 5.28 AC± |
| 5. COMMERCIAL/LIGHT INDUSTRIAL
/MULTI-FAMILY | 7.16 AC± |
| 6. MULTI-FAMILY/RESIDENTIAL
(TWINHOMES, TOWNHOMES,
COTTAGES) | 34.65 AC± |
| 7. POTENTIAL ACCESS | 1.39 AC± |
| 8. COMMERCIAL | 7.58 AC± |
| 9. MULTI-FAMILY/ASSISTED LIVING/
COMMERCIAL | 4.02 AC± |
| 10. COMMERCIAL/CONVENIENCE | 3.13 AC± |
| 11. COMMERCIAL | 2.32 AC± |
| 12. OPEN SPACE/DETENTION | 10.02 AC± |
| 13. COMMERCIAL/CONVENIENCE | 3.44 AC± |



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th ST. PHENIX CITY, AL 36867 (PH : 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36861 (PH : 334-745-7026)
121 W. BROAD ST. EUFALA, AL 36602 (PH : 334-687-4257)



SMB LAND LLC.
GATEWAY DRIVE
OPELIKA, ALABAMA

REVISIONS:

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Simpson, Inc.

MASTER PLAN

DRAWN BY: BSH
DESIGNED BY: BSH
REVIEWED BY: BSH
APPROVED BY: BSH

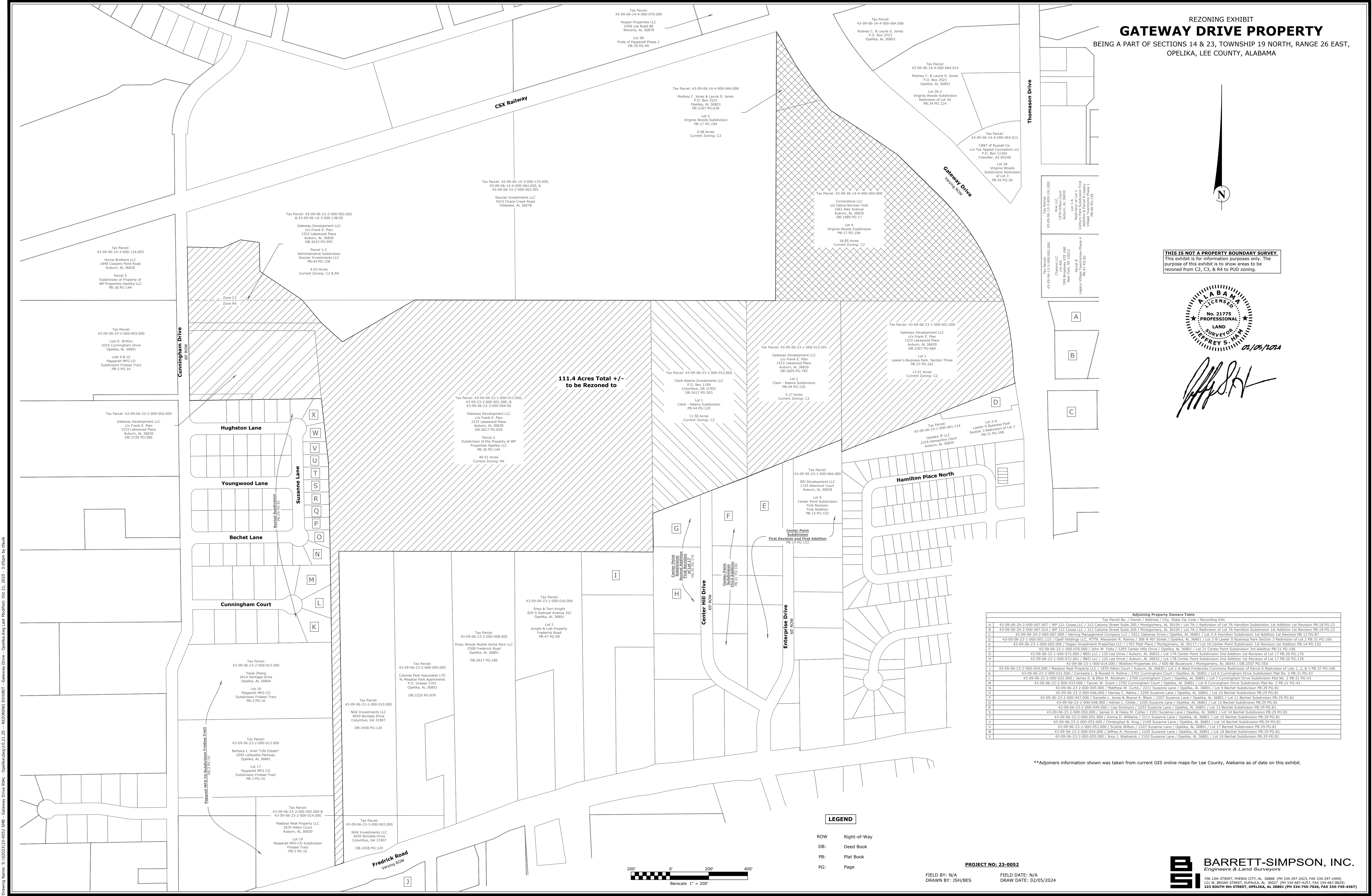
DATE: 5 FEBRUARY 2024

PROJECT NUMBER: 23-0052

SHEET NUMBER

MP

Drawing Name: S:\2023\22-0052-SNB - Gateway Drive 90x6 - Opelika.dwg Last Modified: Oct 21, 2025 - 3:05pm by ftsak



REZONING EXHIBIT
GATEWAY DRIVE PROPERTY
BEING A PART OF SECTIONS 14 & 23, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA

THIS IS NOT A PROPERTY BOUNDARY SURVEY.
This exhibit is for information purposes only. The purpose of this exhibit is to show areas to be rezoned from C2, C3, & R4 to PUD zoning.

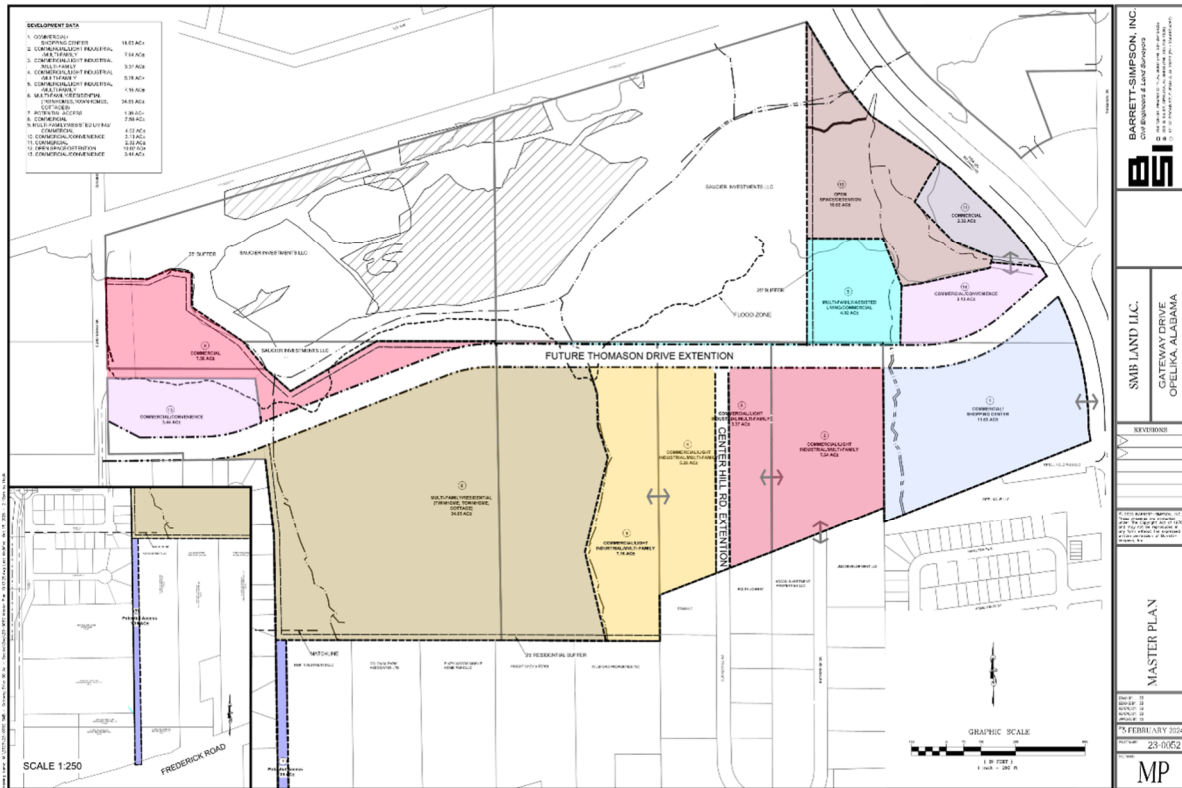


Jeffrey S. Ham

Adjoining Property Owners Table		
Row	Tax Parcel No. / Owner / Address / City, State Zip Code / Recording Info	
A	43-09-06-24-2-000-007.007 / WP 121 Coosa LLC / 312 Catoma Street Suite 200 / Montgomery, AL 36104 / Lot 7A-1 Redivision of Lot 7A Hamilton Subdivision 1st Addition 1st Revision PB:18 PG:22	
B	43-09-06-24-2-000-007.014 / WP 121 Coosa LLC / 312 Catoma Street Suite 200 / Montgomery, AL 36104 / Lot 7A-2 Redivision of Lot 7A Hamilton Subdivision 1st Addition 1st Revision PB:18 PG:22	
C	43-09-06-24-2-000-007.000 / Herring Management Company LLC / 2011 Gateway Drive / Opelika, AL 36801 / Lot 2-A Hamilton Subdivision 1st Addition 1st Revision PB:13 PG:87	
D	43-09-06-23-1-000-001.115 / Opel Holdings LLC, ATTN: Alexander R. Raney / 305 N 4th Street / Opelika, AL 36801 / Lot 2-B Lawler's Business Park Section 3 Redivision of Lot 2 PB:31 PG:166	
E	43-09-06-23-1-000-065.000 / Hogan Investment Properties LLC / 1763 Platt Place / Montgomery, AL 36117 / Lot 10 Center Point Subdivision 1st Revision 1st Addition PB:14 PG:152	
F	43-09-06-23-1-000-076.000 / John W. Foltz / 2205 Center Hills Drive / Opelika, AL 36801 / Lot 21 Center Point Subdivision 3rd Addition PB:21 PG:106	
G	43-09-06-23-1-000-072.000 / BB3 LLC / 120 Lee Drive / Auburn, AL 36832 / Lot 17A Center Point Subdivision 2nd Addition 1st Revision of Lot 17 PB:20 PG:176	
H	43-09-06-23-1-000-072.000 / BB3 LLC / 120 Lee Drive / Auburn, AL 36832 / Lot 17B Center Point Subdivision 2nd Addition 1st Revision of Lot 17 PB:20 PG:176	
I	43-09-06-23-1-000-014.000 / Wilsford Properties Inc. / 600 NE Boulevard / Montgomery, AL 36043 / DB:2507 PG:550	
J	43-09-06-23-3-000-024.000 / Madison Real Property LLC / 1870 Hilton Court / Auburn, AL 36830 / Lot 1-A West Fredericks Commons Redivision of Parcel A Redivision of Lots 1, 2, & 3 PB:37 PG:106	
K	43-09-06-23-2-000-031.000 / Carmela L. & Ronald H. Rollins / 2703 Cunningham Court / Opelika, AL 36801 / Lot 6 Cunningham Drive Subdivision Plat No. 2 PB:21 PG:43	
L	43-09-06-23-2-000-032.000 / James D. & Ellen M. Abraham / 2700 Cunningham Court / Opelika, AL 36801 / Lot 7 Cunningham Drive Subdivision Plat No. 2 PB:21 PG:43	
M	43-09-06-23-2-000-033.000 / Tanner W. Grant / 2702 Cunningham Court / Opelika, AL 36801 / Lot 8 Cunningham Drive Subdivision Plat No. 2 PB:21 PG:43	
N	43-09-06-23-2-000-045.000 / Matthew W. Curtis / 2211 Suzanne Lane / Opelika, AL 36801 / Lot 9 Bechet Subdivision PB:29 PG:81	
O	43-09-06-23-2-000-046.000 / Harvey C. Nelms / 2209 Suzanne Lane / Opelika, AL 36801 / Lot 10 Bechet Subdivision PB:29 PG:81	
P	43-09-06-23-2-000-047.000 / Danielle L. Jones & Wayne A. Black / 2207 Suzanne Lane / Opelika, AL 36801 / Lot 11 Bechet Subdivision PB:29 PG:81	
Q	43-09-06-23-2-000-048.000 / Adrien L. Childs / 2205 Suzanne Lane / Opelika, AL 36801 / Lot 12 Bechet Subdivision PB:29 PG:81	
R	43-09-06-23-2-000-049.000 / Lisa Simmons / 2203 Suzanne Lane / Opelika, AL 36801 / Lot 13 Bechet Subdivision PB:29 PG:81	
S	43-09-06-23-2-000-050.000 / James H. & Haley M. Cotter / 2201 Suzanne Lane / Opelika, AL 36801 / Lot 14 Bechet Subdivision PB:29 PG:81	
T	43-09-06-23-2-000-051.000 / Donna D. Williams / 2111 Suzanne Lane / Opelika, AL 36801 / Lot 15 Bechet Subdivision PB:29 PG:81	
U	43-09-06-23-2-000-052.000 / Christopher B. King / 2109 Suzanne Lane / Opelika, AL 36801 / Lot 16 Bechet Subdivision PB:29 PG:81	
V	43-09-06-23-2-000-053.000 / Scottie Wilson / 2107 Suzanne Lane / Opelika, AL 36801 / Lot 17 Bechet Subdivision PB:29 PG:81	
W	43-09-06-23-2-000-054.000 / Jeffrey A. Hovener / 2105 Suzanne Lane / Opelika, AL 36801 / Lot 18 Bechet Subdivision PB:29 PG:81	
X	43-09-06-23-2-000-055.000 / Amy J. Wadewick / 2103 Suzanne Lane / Opelika, AL 36801 / Lot 19 Bechet Subdivision PB:29 PG:81	

**Adjoiners information shown was taken from current GIS online maps for Lee County, Alabama as of date on this exhibit.

Thomason Drive Extension



November 14,
2025

Master Development Plan Narrative

www.BSIES.com

223 S 9th Street ■ Opelika, AL 36801 ■ (334) 745-7026

Thomason Drive Extension

MASTER DEVELOPMENT PLAN NARRATIVE

INTRODUCTION

Thomason Drive Extension was proposed to be a true mixed-use, master planned development, consisting of various commercial uses, as well as several types of multi-family residential uses, with corresponding open space areas and on-site detention. An additional parcel has now been purchased and needs to be included within this PUD. This addition, along with some modifications to the use tables, is the impetus for this PUD modification. The approximately +/-102.6 acres development will be professionally planned and developed as a Planned Unit Development (PUD), with careful attention paid to protection of the natural environment.

BSI Engineering Surveying, Inc., the Applicant, on behalf of the Owners, Gateway Development, LLC, Cornerstone, LLC and Clark-Adams Investments, LLC, respectfully requests that the Opelika Planning Commission modify the current Thomason Drive Extension PUD and that this narrative will supersede all previous documentation. The proposed PUD will allow for a mix of commercial uses and medium to high density residential uses.

1

Location

The Property for the Thomason Drive Extension is located between Gateway Drive and Cunningham Drive, in southwestern Opelika. The Development will be accessed primarily from Gateway Drive and Cunningham Drive but will also have access to Frederick Road via Center Hill Drive.

The City of Opelika currently has plans for a project to construct a collector class roadway from Gateway Drive to Cunningham Drive. This roadway will be an extension of the existing Thomason Drive and will serve as a traffic corridor to help vehicles navigate around the existing Gateway Drive / Frederick Road intersection. The construction of this extension will facilitate additional development opportunities within the area.

2

Concept

The Applicant is proposing a master planned development, consisting of multi-family residential uses including townhomes, twin homes, apartments and cottages. Commercial uses are to be determined but may include a shopping center, climate-controlled storage, and other commercial/light industrial uses.

Thomason Drive Extension will be best planned and developed as a PUD which will allow for effective control, certainty of housing density and consistency of design.

3

Site Details

The proposed development consists of a total of +/-102.6 acres. Given the size of the development, infrastructure construction may be divided into phases.

Storm water detention/retention will be provided on site within the development. Open spaces are planned for the project. A property owners association may be established for proper maintenance of all common areas. Likewise, architectural guidelines, building regulations and use restrictions will be governed by Covenants, Conditions and Restrictions and enforced by the newly established Property Owners Association.

Additionally, the architecture of this project is intended to be homogeneous and inspire a true mixed-use experience. As such, it is proposed that the entire Project be subjected to the Gateway Corridor cladding, fencing, screening, and landscape requirements of the City of Opelika Zoning Ordinance.

4

Lifestyle and Amenities

The development will provide opportunities for commercial customers and residents to live healthy and active lifestyles. Walkability between the commercial and residential uses will be ensured as sidewalks will be constructed along all streets. Not only will the multi-family portion of the development provide localized open spaces, hardscape amenities and congregational areas. All common areas and amenities will be professionally landscaped and maintained by a property owners association.

It is also important to note that while the overall project contains a multitude of potential uses, pod differentiation will be necessary. Residential buffers will be required on all commercial properties abutting a residential use.

5

Utilities

The proposed development will be served by City of Opelika sewer and Opelika Utilities water services. Power and communications will be provided by a combination of Opelika Power Services and Point Broadband. Natural gas, if used, will be provided by Spire.

6

Uses

As the proposed project is a mixed-use development, it is necessary to outline uses that are appropriate and approved for the project. The commercial and residential portions of the development will be represented as Pod numbers in the table below along with corresponding proposed uses from Table 7.3.C of the Opelika Zoning Ordinance.

Uses	Pod												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Residential Use													
Single-family				A	A	A							
Duplex				A	A	A							
Apartments*		A	A	A	A	A							
Townhomes		A	A	A	A	A							
Patio Homes				A	A	A							
Assisted/Independent Living Facility		A	A	A	A	A			A				
Commercial													
Fully Enclosed Building													
less than 100,000 SF GLA	A	A	A	A	A			A	A	A	A		A
more than 100,000 SF GLA	A	A	A	A	A			A	A	A	A		A
Consumer Shopping Goods	A	A	A	A	A			A	A	A	A		A
Grocery Store	A							A	A	A	A		A
Package Liquor Store	A									A			
Offices, Clinical, Research & Services not Primarily Related to Goods or Merchandise													
Offices Designed to Attract & Serve Customers or Clients on Premises such as Attorney, Physicians, Other Professionals, Insurance, Stock Broker, Gov't Buildings	A	A	A	A	A			A	A	A	A		A
Office of Physicians or Dentist	A	A	A	A	A			A	A	A	A		A
Banks	A							A	A	A	A		A
Banks with Drive-in Windows	A							A	A	A			A
Office of Contractor													
Without Equipment & Material Yard		A	A	A	A			A	A		A		A
Automobile Related**													
Automobile Maintenance Establishment (maximum of 1 per Pod)	A	A	A	A	A				A	A			A
Convenience Store W/ Gas Station/Auto Car Wash (maximum of 1 per Pod)	A								A	A			A
Daycare Center	A								A	A	A		A

Uses	1	2	3	4	5	6	7	8	9	10	11	12	13
Dry Cleaner	A	A	A	A	A			A	A	A	A		A
Church		A	A	A	A	A	A	A	A	A	A		A
Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Clearing, Assembly of Goods, Merchandise & Equipment													
All Operations Conducted W/I Fully Enclosed Bldg.		A	A	A	A			A		A			A
Bowling Alleys & Skating Rinks	A							A	A	A			A
Indoor Fitness Center	A	A	A	A	A			A	A	A	A		A
Golf Driving Range, Miniature Golf	A	A	A	A	A			A	A	A			A
Restaurant, Standard	A	A	A	A	A			A	A	A	A		A
Fast Food Restaurant (maximum of 1 freestanding per pod)	A							A	A	A			A
Brewpub	A							A	A	A	A		A
Micro-Breweries	A							A	A	A	A		A
Micro-Distilleries	A							A	A	A	A		A
Storage**													
All Storage within Completely Enclosed Structures		A	A	A	A			A	A		A		A
Climate Controlled Storage											A		
Distribution Center		A	A	A	A			A	A		A		A
Services & enterprises Related to Animals													
Veterinarian	A	A	A	A	A			A	A	A			A
Medical Related													
Medical or Dental Clinic	A	A	A	A	A			A	A	A	A		A
Pharmacies	A	A	A	A	A			A	A	A	A		A
Medical Research Laboratories	A	A	A	A	A			A	A	A	A		A
Retail Medical Supply	A	A	A	A	A			A	A	A	A		A

* All apartments to be a maximum of 4 stories

** No street-facing roll-up doors will be allowed

The uses outlined in the above table shall be considered allowed uses and will not be required to receive conditional use approval in the future.

Lot Information

The commercial portions of the proposed development will comply area requirements of the GC-S zoning district. Any requested changes to minimum lot areas, lot widths, setbacks, etc., from Table 7.3.A of the Opelika Zoning Ordinance, will require a PUD amendment at a later date.

Double frontage lots shall be avoided on the Thomason/Veterans Extension if possible. Where they cannot be prevented, a 30 foot heavily planted and/or bermed buffer shall be required. No privacy fences or chain link fences shall be used along Thomason/Veterans Extension without Planning Director approval.

Outside of mixed use areas, transitions from commercial and residential uses shall be orderly. Once a pod proceeds with either a commercial or residential use, the block for that pod shall be consistent where possible. If a commercial to residential transition does occur, a residential buffer designed per the Opelika Zoning Ordinance shall be required.

General Residential

Duplicative building designs adjacent to each other are strongly discouraged. Simple reverse configurations of the same building design on more than 2 adjacent lots are not sufficient to meet the goal of architectural variety. However, exceptions may be granted by the Planning Director in special circumstances where similar architectural consistency provides a distinct character for a cluster of homes surrounding an open space or on a particular street.

Residential pods shall be designed in a cohesive architectural style, with a cohesive set of architectural features, and a consistent palette of materials, textures, and colors on all sides.

Horizontal lap siding (wood or fiber cement), masonry (brick/stone/simulated stone), stucco, EIFs, and glass are allowed materials. Stucco or EIFs shall not be used within 18 inches of the ground. These materials must be trimmed in wood, masonry, or other approved materials.

Cement block may only be used on residential building exteriors at the foundation up to a height of three ft. Cement block foundations along front facades must be screened with shrubs or other landscaping.

Unless an alternative set of materials standards is specifically approved by the Planning Director, the standards in the table below shall be met.

Detached Single-Family Dwellings	Min. 30% Masonry	Min. 40% Masonry
Attached Dwellings	Min. 50% Masonry	Min. 60% Masonry

For the purposes of these standards, masonry includes brick, stone, terra cotta, split face concrete block, concrete tilt wall, cement fiber board or a combination of these. Stucco and plaster are only considered a masonry material when applied using a three-step process over diamond metal

lath mesh to a 7/8th inch thickness or by other processes producing comparable cement stucco finish with equal or greater strength and durability specifications.

Multi-Family uses will conform to the Area Requirements in Table 7.3.A as represented in the GC-P zoning designation. Multi-Family density within the development will not exceed the maximum density shown below.

Pod	Maximum Density (units/acre)
2	16
3	16
4	8
5	8
6	8
9	16

All residential uses within the project shall provide a minimum of 15% open space. Open spaces shall include but not be limited to the following: undeveloped areas, amenities, detention facilities, etc.

Multi-family residential uses shall meet the landscaping standards of the Opelika Zoning Ordinance. Single-family and duplex units shall be required to have one medium or canopy tree per unit located on the same lot.

Foundation plantings shall be required for all residential use. The landscaped area for foundation plantings shall be at least two feet wide.

Single Family

All Single-Family Residential uses shall conform to the following requirements:

Minimum Lot Size	4500 sq ft
Minimum Lot Width	40' for rear loaded lots 60' for front loaded lots
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback	7'
Side Yard on Street Setback	15'
Maximum Impervious Surface Area per Lot	60%

Duplex/Townhomes

All Townhome Residential Uses will conform to the Townhome Development Standards of the City of Opelika Zoning Ordinance.

All Duplex Residential uses shall conform to the following requirements:

Minimum Lot Size	8000 sq ft
Minimum Lot Width	75'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback	7'
Side Yard on Street Setback	15'
Maximum Impervious Surface Area per Lot	60%

Front doors (excluding garage doors) should be protected by a recess, porch, or other covered element. A covered porch up to 200 square feet may extend up to six feet into the minimum required front setback. Front doors and windows (excluding windows on a garage door or above a garage door) should be designed as a focal point on the front elevation.

Houses should have windows that face the street; and no wall of a house should be without some fenestration, unless it is less than 3 feet from a property line or adjoining structure.

Front entries for duplexes and townhouses shall face the street and have entry details such as doors, windows, front porch, covered entries, or other entry features.

Driveways and parking spaces may not occupy more than 60% of the required front yard of a dwelling.

For front-loaded lots, that portion of a dwelling's front façade containing a garage may not project more than eight feet closer to the front setback line than the nearest wall plane or porch. Garage doors wider than ten feet must include one or more of the following design elements: windows, wood or wood composite, raised panels, or decorative trim around the door opening.

Multi-family

Multifamily buildings must be oriented toward streets, interior drives and improved open spaces, not adjacent properties. A multifamily building may be aligned along a parking area provided it is also oriented toward a street, interior drive or improved open space.

Building entrances must face and be clearly visible from streets, interior drives or interior open space. This does not apply to entrances to individual dwelling units. Building entrances must be accessible from the street, interior drive or open space they face.

Off-street parking must be located to the side or rear of buildings and may not extend forward of the front building line. When located to the side of buildings and adjacent to a public street,

off-street parking areas may not occupy more than 30% of each perimeter public street frontage. The Director may waive these requirements when off-street parking is located forward of the front building line on adjoining properties on both sides of the multifamily site; however, these requirements may not be waived where the site fronts on a local street or on the same frontage as an adjoining detached single-family dwelling.

Multi-family developments shall provide improved amenity space for their development. This may be included as part of larger Pod amenity plan.

Multi-Family uses within the Project shall comply with the following Architectural Standards.

1. Four-sided design. All building elevations must reflect consistent design, textures, colors, and features. All walls must be articulated and fenestrated to provide visual interest.
2. Building Articulation. All buildings must include the following architectural design features at intervals of no more than 30 ft along all facades facing a street, open space or parking area:
 - a. Vertical building articulation. Minimum depth and width of articulation is 36 inches and four feet, respectively, if corresponding with a change in color or building material and/or roofline. Otherwise, minimum depth and width of articulation is ten feet and 15 ft, respectively. Porches and projecting balconies, including those that are partially recessed, count toward this requirement. Regulations 7-19 Vertical.
 - b. Articulation of the “base, middle and top”. This typically includes a distinctive design for the portion of the elevation along the foundation and ground floor, consistent articulation of middle floors, and a distinctive roofline.
3. Diversity of Building Types. Multi-building developments must provide different architectural designs to achieve visual interest and variety, particularly where multiple buildings front on the same public street. Changes in building colors or reversal of facade designs are not sufficient to comply with this standard. To meet this requirement, changes must include a combination of at least two of the following: vertical articulation (meeting the requirements of (a) above), fenestration, building materials, and roof design.
4. Accessory structures must reflect the same design and finish as principal buildings.
5. Multifamily buildings must have a minimum 4:12 roof pitch. Alternative roof designs will be considered provided design elements are included to help the building and its roofline fit into the site’s context. Pitched-roof buildings must incorporate variations in the roofline. The maximum length of any continuous roofline is 40 ft. The use, alone, of dormers and/or gables is not sufficient to comply with this requirement.
6. Transparent windows facing the street are required. At least 15% of each street-facing facade must be fenestration. All other facades must have a minimum fenestration area of 10%. Windows must be recessed or project at least two inches from the wall plane or window trim must be used at least four inches in width with color that contrasts with the base building color. Exceptions will be considered where the design includes other distinctive window or facade treatment that adds visual interest to the building.

8

Net Impact of Proposed Development

The proposed rezoning request does not adversely impact the City of Opelika nor its infrastructure in any way. Rather, the rezoning proposed for the development represents a net benefit to the City upon implementation through its completion.

9

Accompanying Exhibits

Attached are several exhibits supporting the application for rezoning to PUD. The supporting exhibits include the following:

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Deeds to Subject Properties
- Application for PUD Zoning
- Rezoning Exhibit

Agenda Item
D-9
Master Plan Amendment
Wyndham PUD

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 10/22/25 PC MEETING: 11/18/25**PROPERTY OWNERS/**AUTHORIZED REPRESENTATIVE: Blake Rice, BSI, Inc.MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801PHONE NUMBER: 334-745-7026 Email: brice@bsies.com**PARCEL INFORMATION**Site Address: Wyndham Industrial Drive & Gateway DriveDescription of proposed use: Contractors Office with Equipment & Material YardTax Parcel Number: 09-07-25-0-000-002.002, 10-09-30-2-000-003.001, 10-09-30-2-000-003.003, 10-09-30-2-000-003.004.Adjacent Zoning Districts: North: 10-09-30-2-000-003.000 South: _____ East: _____ West: _____Current Land Use: Contractors Office with Equipment & Material StorageCurrent Zoning: PUDNumber of APO: 5 x \$7.00 = \$ 35.00
(Adjacent Property Owners)Proposed Zoning: PUD-RevisedFee: \$125.00**TOTAL** = \$160.00**PAID:** _____I hereby request my property located at (street address) 3100 Wyndham Industrial Dr.Tax Map parcel number 09-07-25-0-000-002.002, 10-09-30-2-000-003.001, 10-09-30-2-000-003.003, be rezoned from
10-09-30-2-000-003.004, 10-09-30-2-000-003.000PUD to Revised PUD A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME)

Blake Rice, BSI, Inc.

DATE

10/22/25

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, CPP Investments, LLC, being owner/authorized manager of the rezoning property(s) as described in this Rezoning Application hereby authorize Blake Rice, BSI, Inc. to act as my representative in all decisions concerning the rezoning of my property(s) before the Opelika Planning Commission and City Council.

Property Owner's Signature [Signature] Date 10/21/2025

STATE OF ALABAMA

COUNTY OF LEE

I, Kellie M. Ezell, a Notary Public in and for said County and State, hereby certify that Cam Lanier, TV, 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 21st day of October, 2025

Kellie M. Ezell
Notary Public

My Commission Expires: 3/24/27

KELLIE M. EZELL
NOTARY PUBLIC
ALABAMA STATE AT LARGE
COMM. EXP. 03/24/27

REZONING APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Complete the 'Authorization to Act as Applicant', if applicable
3. Complete the Rezoning Petition below including signature(s) of property owner(s) and signature(s) notarized
4. Provide Legal Description of rezoning property (same as Exhibit A on petition) *Legal description(s) on deed(s) may serve as legal description if complete.*
5. Provide Map of Rezoning area (same as Exhibit B on petition)
6. Provide copy of the current Deed(s) for the rezoning property
7. Provide List of Adjacent Property Owners on separate sheet.
8. Rezoning Fee = \$125 application fee plus \$7.00 each certified letter. Checks payable to the City of Opelika.

NOTARY SIGNATURES

Before me, Kellie M. Ezell
 a Notary Public in and for said County and State, hereby
 certify that Cam Lanier, IV
 whose name is signed to the foregoing petition as
CEO [President, Chairman, etc.]

of CPP Investments, 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 21st day
October, 2025
Kellie M. Ezell Notary Public

CPP Investments, LLC
 (print name)

P. O. Box 510
 (address)

West Point, GA 31833
 (city, state, zip)

BY: Cam Lanier
 (signature)

ITS: CEO
 (title)

DATE: 10/21/2025

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
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 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: November 18, 2025

Agenda Item #: D-9

Action Requested: Wyndham Master Plan Amendment – Major Amendment - Amend land use designation Office use to Contractor’s office with equipment yard

Location of Property: Northwest corner of Gateway Drive and Wyndham Industrial Drive

Property Owner(s): CPP Investments, LLC
Blake Rice, BSI, Inc. (authorized representative)

Current Land Use: Undeveloped

Current Zoning: PUD

Staff Comments

The original Wyndham Master Plan approved in 2005 provided for a variety of uses on the north and south of Gateway Drive. These uses included single-family residential, commercial, office, and industrial uses. The area on the north side of Gateway Drive at Wyndham Industrial Drive was intended to be a mix of office and light industrial. The area immediately adjacent to Gateway Drive was designated as more traditional office uses with a buffer to screen the use from the street.

Evergreen Siteworks has operated in the area designated as industrial for over 10 years. The operation includes their offices and equipment and material yard. Last year Evergreen cleared the property designated as office and expanded the equipment and material yard to this area. When contacted, they noted they had thought the area was zoned correctly for this use. Since this time, staff has been working with them for a solution to the address the issues from the expansion.

The office and buffers were initially located on this area to maintain a strong aesthetic along Gateway Drive and provide a transition between the residential uses and more intense uses. The use of the property as a contractor yard has not created significant noise or other nuisances, but it does affect the character of the entire area. Evergreen has engaged a local landscaping firm to create a landscape plan to recreate a significant buffer. They are also showing some additional office and storage facilities near their current buildings.

The current landscape requirements for this site would 1,330 base points and 117 parking lot points. The proposed plan would be 3,054 total points. This includes a multi-layered buffer that is a mix of shrubs and trees. This should replace the natural buffer that was removed. All material shall be required to meet the minimum size for plantings when installed.

Staff Recommendation

Staff recommends the Planning Commission make a positive recommendation to the City Council approve this amendment to the Wyndham Master Plan and designate this property as contractor's office with equipment yard.

Engineering Department Report

Engineering has no comments regarding the proposed Change of Use with the improvements illustrated.

Opelika Water Report

No comment.

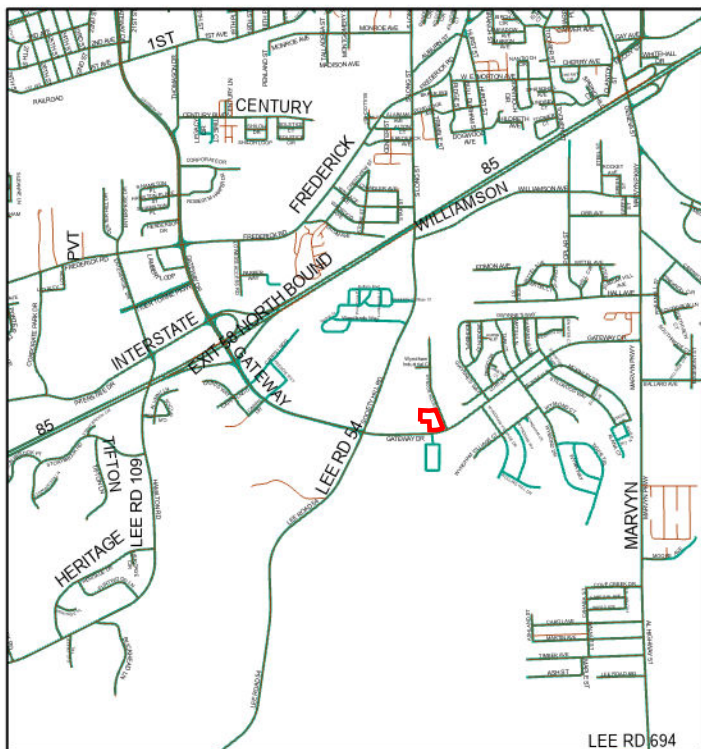
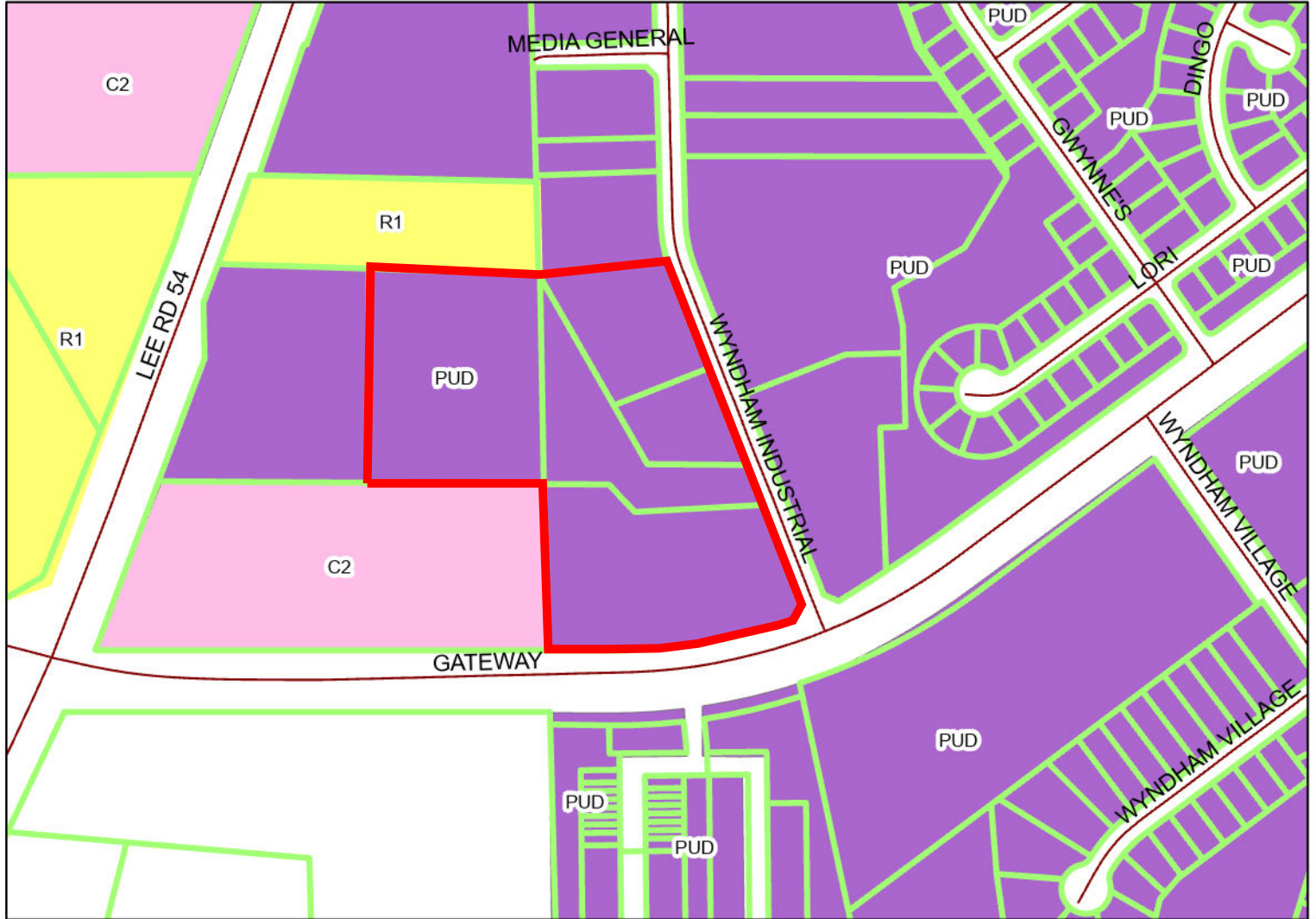
Opelika Power Services Report

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

WYNDHAM PUD - MASTER PLAN REVISIONS

3150 WYNDHAM INDUSTRIAL DRIVE

MASTER PLAN AMENDMENT - MAJOR, D-9



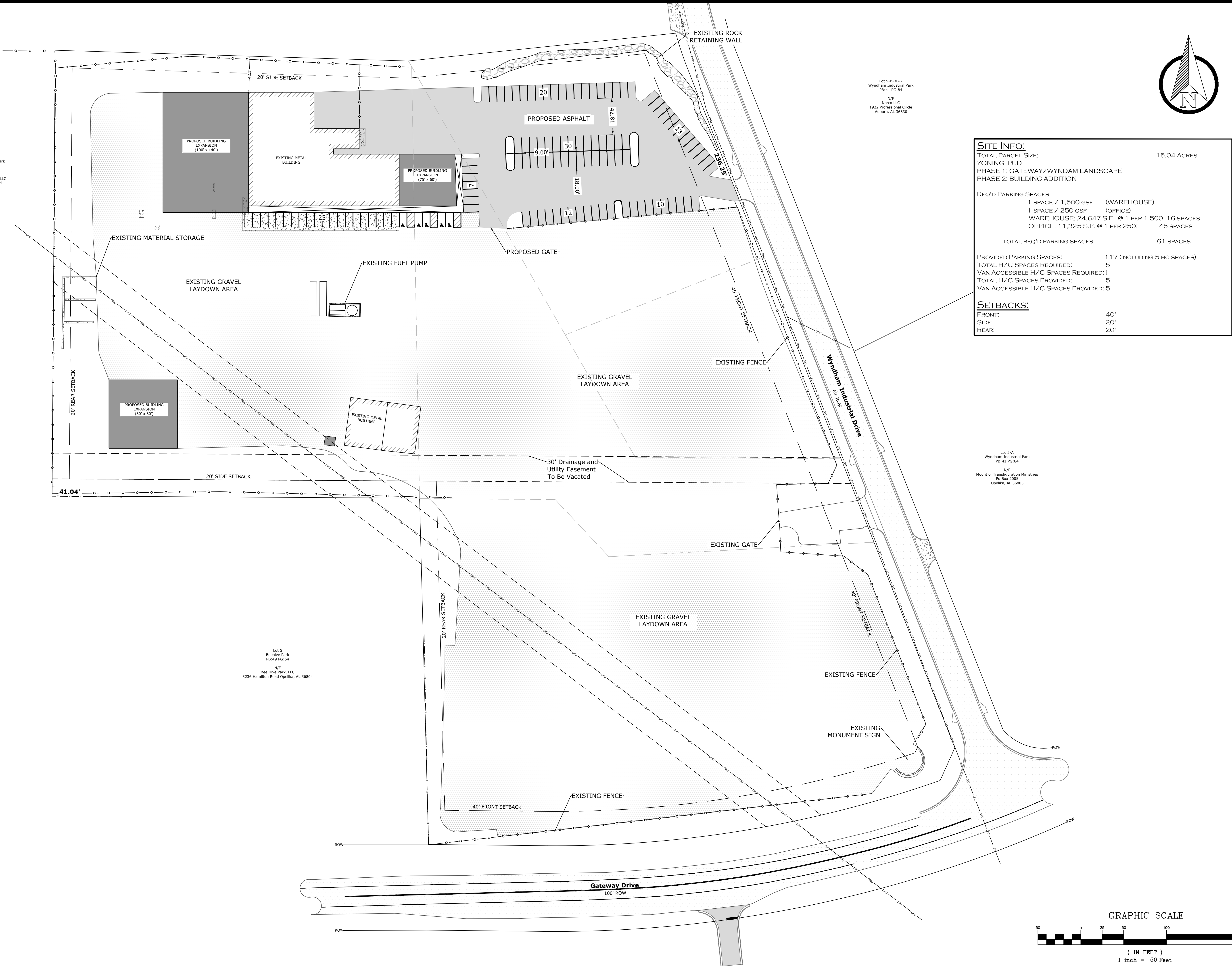
The Wyndham master plan amendment request is from an office use approved in 2004 to an office of contractor with equipment and material yard use.



Subject Property

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Drawing Name: P:\A_BSI Projects\2024\24-0172 Evergreen - 3100 Wyndham Industrial - Opelika(Dwg)Design File:10-7-25 (Jaw Last Modified: Oct 16, 2025 - 11:25am by coppers



SITE INFO:

TOTAL PARCEL SIZE:15.04 ACRES

ZONING: PUD

PHASE 1: GATEWAY/WYNDAM LANDSCAPE

PHASE 2: BUILDING ADDITION

REQ'D PARKING SPACES:

1 SPACE / 1,500 GSF (WAREHOUSE)

1 SPACE / 250 GSF (OFFICE)

WAREHOUSE: 24,647 S.F. @ 1 PER 1,500: 16 SPACES

OFFICE: 11,325 S.F. @ 1 PER 250: 45 SPACES

TOTAL REQ'D PARKING SPACES:61 SPACES

PROVIDED PARKING SPACES:117 (INCLUDING 5 HC SPACES)

TOTAL H/C SPACES REQUIRED:5

VAN ACCESSIBLE H/C SPACES REQUIRED:1

TOTAL H/C SPACES PROVIDED:5

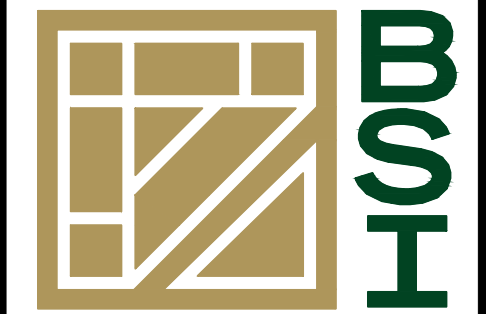
VAN ACCESSIBLE H/C SPACES PROVIDED:5

SETBACKS:

FRONT:40'

SIDE:20'

REAR:20'



Evergreen- 3100

Wyndam Industrial

OPELIKA, LEE COUNTY, ALABAMA

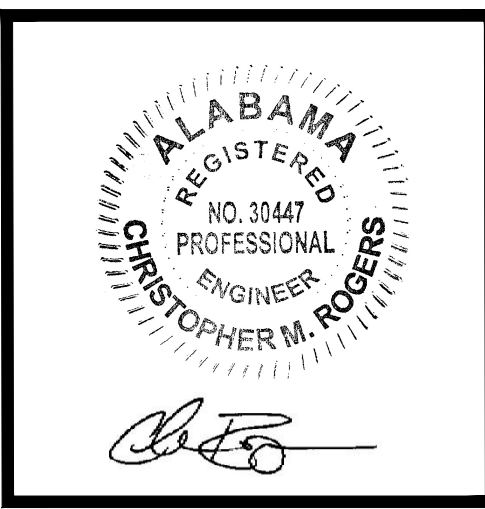
REVISIONS	
1	

Proposed Site Plan

PROJECT INFORMATION	
DESIGNED BY:	
REVIEWED BY:	
APPROVED BY:	
DATE:	
PROJECT NUMBER:	24-0172

SHEET:

C1



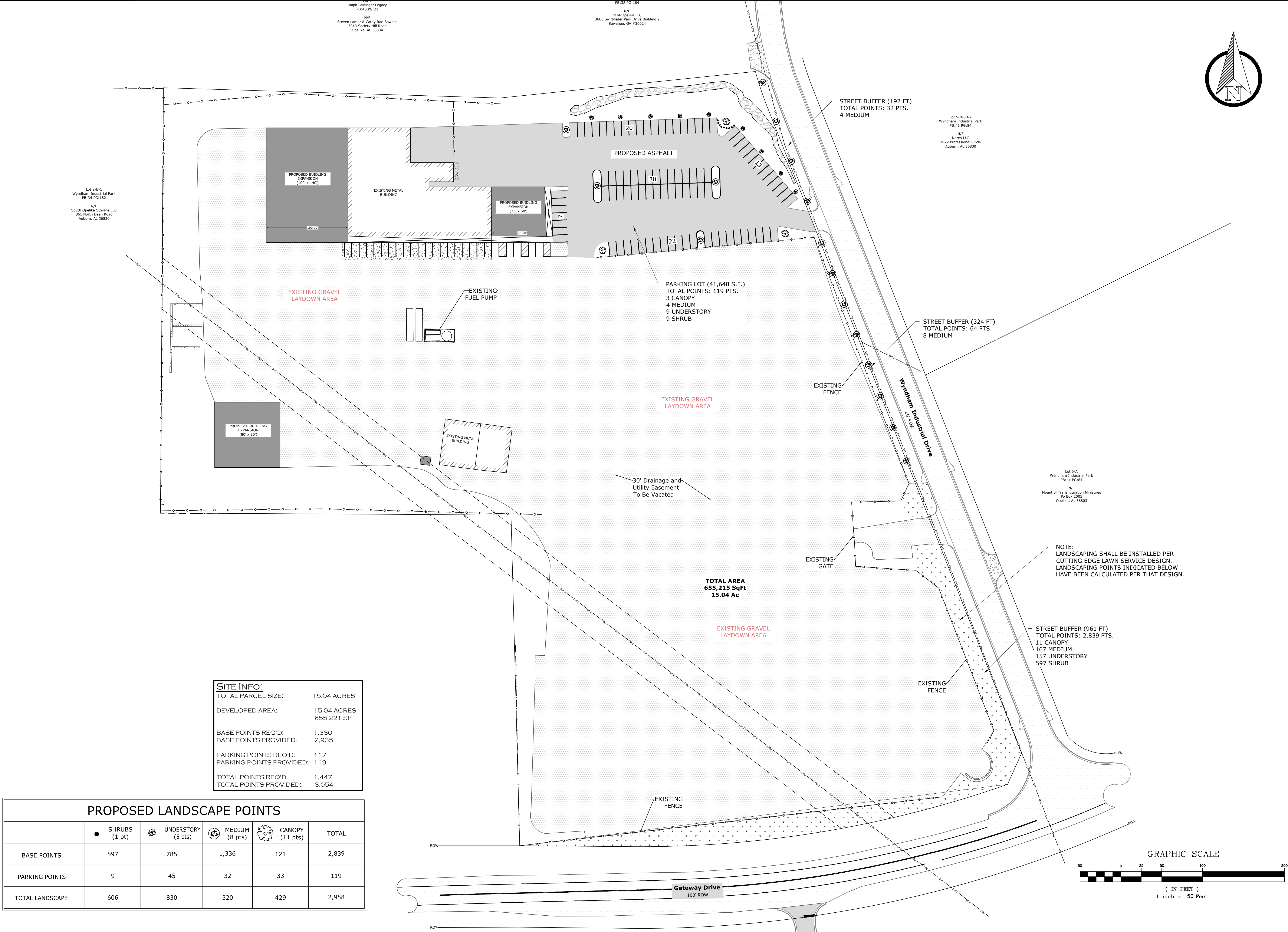
Evergreen- 3100
Wyndham Industrial
OPELIKA, LEE COUNTY, ALABAMA

REVISIONS	
1	

Landscape Plan

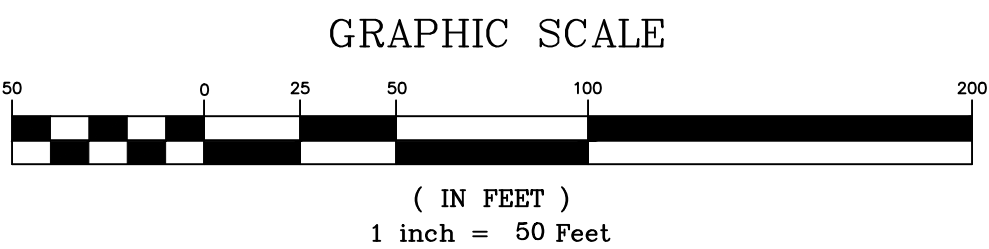
PROJECT INFORMATION	
DESIGNED BY:	
REVIEWED BY:	
APPROVED BY:	
DATE:	
PROJECT NUMBER:	24-0172

SHEET:
C2



SITE INFO:	
TOTAL PARCEL SIZE:	15.04 ACRES
DEVELOPED AREA:	15.04 ACRES 655,221 SF
BASE POINTS REQ'D:	1,330
BASE POINTS PROVIDED:	2,935
PARKING POINTS REQ'D:	117
PARKING POINTS PROVIDED:	119
TOTAL POINTS REQ'D:	1,447
TOTAL POINTS PROVIDED:	3,054

PROPOSED LANDSCAPE POINTS					
	● SHRUBS (1 pt)	✿ UNDERSTORY (5 pts)	⊙ MEDIUM (8 pts)	🌳 CANOPY (11 pts)	TOTAL
BASE POINTS	597	785	1,336	121	2,839
PARKING POINTS	9	45	32	33	119
TOTAL LANDSCAPE	606	830	320	429	2,958



Drawing Name: P:\A_BEI Projects\2024\24-0172 Evergreen - 3100 Wyndham Industrial - Opelika(Dwg)Landscape File: LD-6-20 (Dwg) Last Modified: Oct 16, 2025 - 11:25am by crogers





Agenda Item

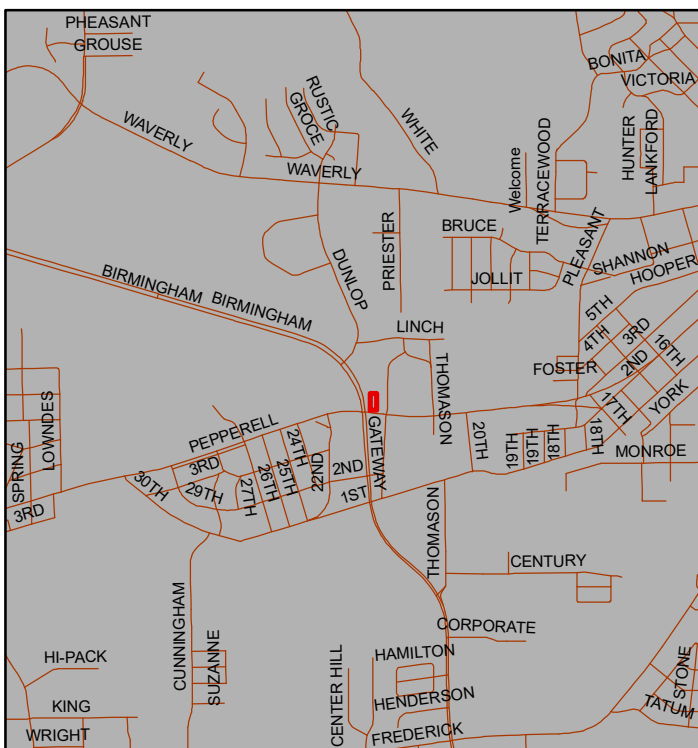
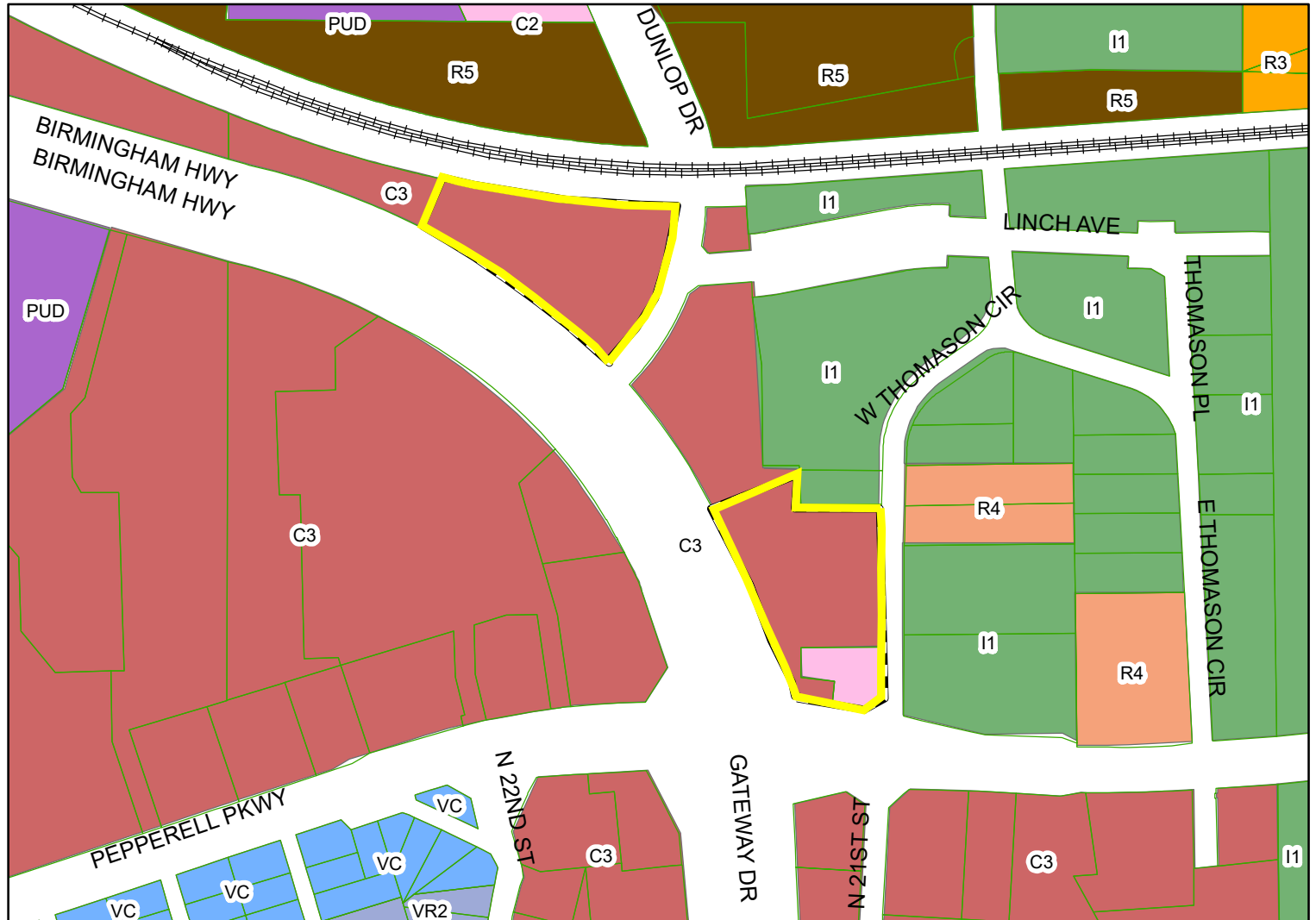
E-10

Old Business

Dave King

Northwest Corner

KING HONDA IMPROVEMENTS HIGHWAY 280 & DUNLOP DRIVE CONDITIONAL USE, E-10 & E-11



King Honda Auto dealership is requesting improvements near the southeast and northwest corners of their property: Improvements include the following: gravel auto display areas, "Welcome House" for customers, water fountain, planter area with flowers, parking spaces to display autos, light poles, gravel & concrete parking spaces, shop building, and a billboard sign. The property is zoned C-3, GC-P.



Subject Property

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Agenda Item

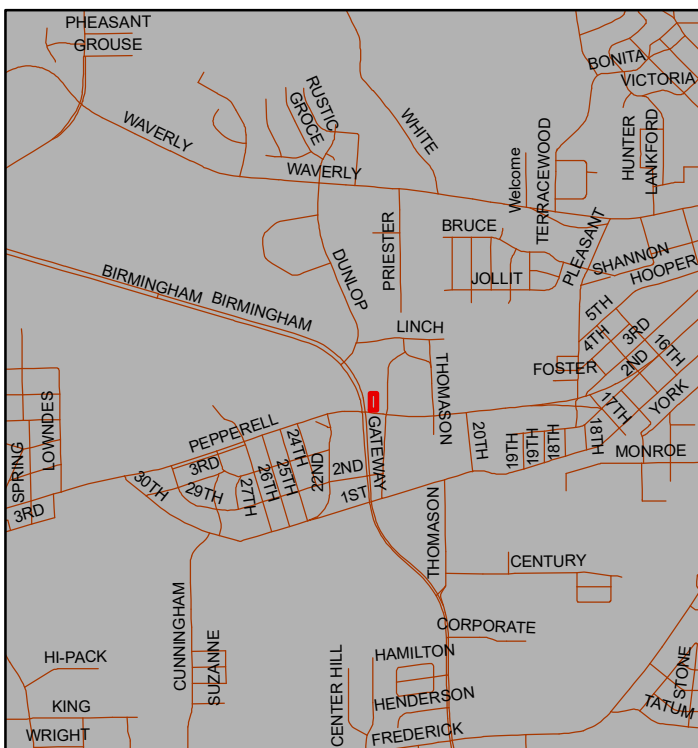
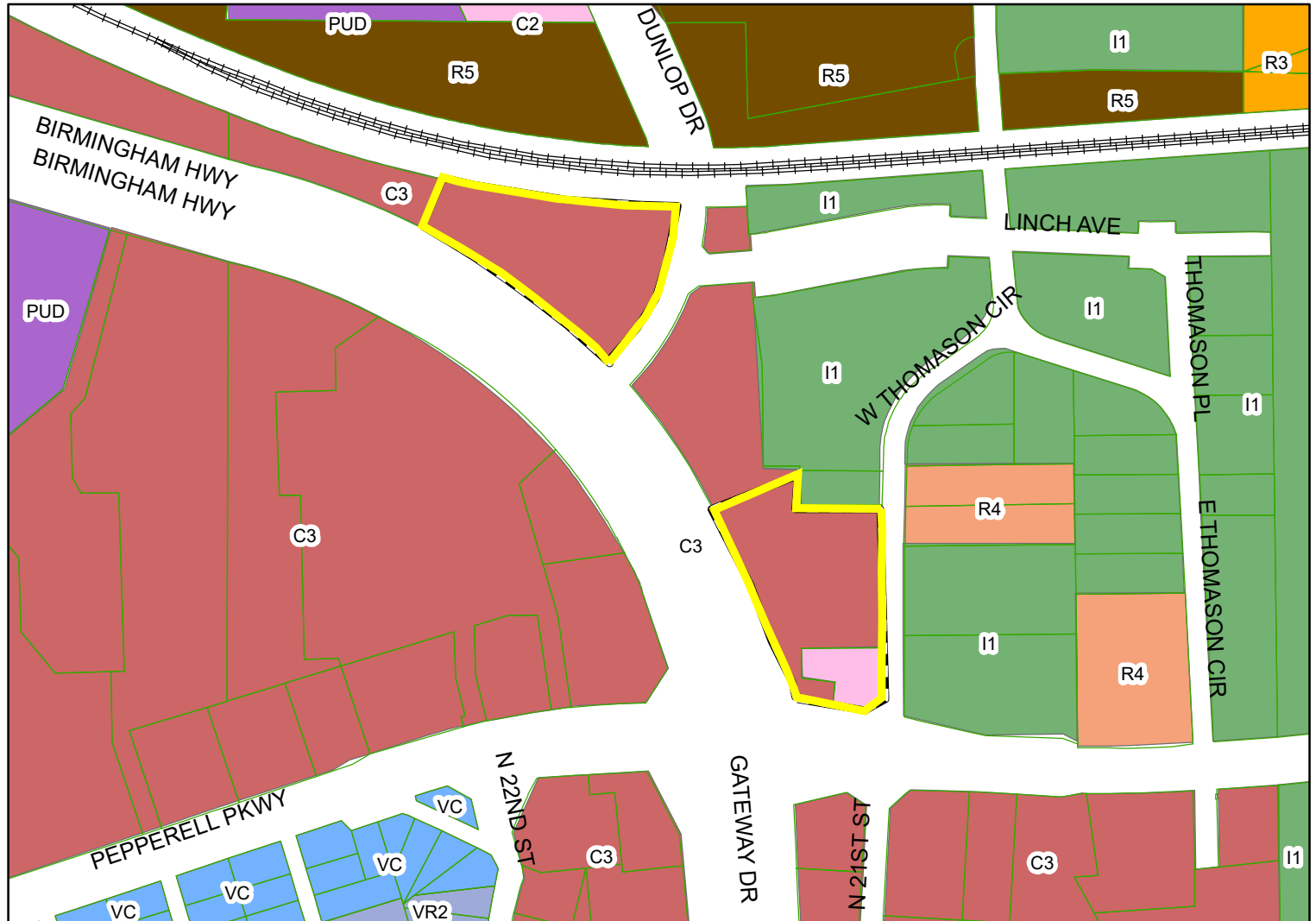
E-11

Old Business

Dave King

Front Corner

KING HONDA IMPROVEMENTS HIGHWAY 280 & DUNLOP DRIVE CONDITIONAL USE, E-10 & E-11



King Honda Auto dealership is requesting improvements near the southeast and northwest corners of their property: Improvements include the following: gravel auto display areas, "Welcome House" for customers, water fountain, planter area with flowers, parking spaces to display autos, light poles, gravel & concrete parking spaces, shop building, and a billboard sign. The property is zoned C-3, GC-P.



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Agenda Item

Old Business

F-12 a/b

Text Amendment to the Zoning Ordinance

- a. Section 7.3A-Revision of Minimum Lot Width in the C-1 Zone
- b. Revision of Section 7.3 C. Use Categories to Package Liquor Store Section 8.28 Package Liquor Store Standards for Use-A public hearing to consider a recommendation to the City Council on proposed amendment to the Zoning Ordinance.

**City of Opelika
Planning Commission
Planning Department Report**

Meeting Date: October 28, 2025

Agenda Item #: F-9

Action Requested: Text Amendment –
A. Amend Section 7.3 A. District Regulations
B. Amend Section 7.3 Use Categories
Amend Section 8.28.5 Package Liquor Store

Downtown Lot Width Amendment:

Section 7.3

A. District Regulation

AREA REQUIREMENTSⁱ

	R-1	R-1A	R-2	R-3 ⁱⁱ	R-4/M	R-5/M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Minimum Lot Width (ft.)	100	90	80	70	60	60	60 none	60	60	60	60	60	100	100

Staff Comments – The proposed text amendments cover changes to the district area requirements, specifically for the C-1 district. This district is the downtown area. Currently, the minimum lot width for a lot in the downtown area is 60 feet in width. Historically, most of the lots in the C-1 zone are much smaller. While some of the warehouses, churches and banks have built on larger lots, most of the buildings are currently non-conforming to the zoning ordinance. Lots in the C-1 zone are typically between 20-25 feet with corner lots typically being 50 feet in width. The smallest lot width found in the C-1 zone is 12 feet. While this is not typical, most cities have removed restrictions on lot width in similar fashion to how they have handled setbacks and minimum lot size. Because the City encourages buildings to extend from lot line to line in character to the historic development pattern; setbacks and lot size have no minimum. This text amendment would reduce the lot width from 60 feet to no minimum. This is how most historic downtowns address lot width.

Package Liquor Store Amendment:

B. Uses Allowed.

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

1. Allowed – Allowed by right. Applicant need only submit the necessary plans for review to the zoning administrator.

2. Conditional Use – Further review required by the Planning Commission as directed by Section 8.17 of this ordinance.

3. Not allowed – Use not allowed in this zone.

Allowed – A Conditional – C Not Allowed – N

C. Use Categories.

USES	DISTRICTS															
	R-1	R-1A	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Package Liquor Store	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N C	N

SECTION 8.28.4 RESERVED

SECTION 8.28.5 Package Liquor Store

A. Purpose and Intent.

The purpose and intent of this section is to regulate package liquor stores, which may have secondary effects on the neighboring areas and the community as a whole. These regulations shall apply to those establishments licensed by the City that sell liquor in unopened containers for off premise consumption. These regulations shall not apply to establishments that store, distribute, or sell liquor in bulk or wholesale to other retailers for sale. These regulations shall not apply to licensed and approved distilleries or micro-distilleries. These regulations shall not apply to establishments selling only beer and/or wine for off premise consumption.

The State of Alabama through the Alabama Alcoholic Beverage Control Board provides regulations regarding the licensing and operation of liquor or package stores and operators. Nothing in this section is intended to authorize or permit any establishment in violation of any city; county, state or federal ordinance, code or statute. The City has determined that this section is necessary to supplement other regulations to establish reasonable regulations on this use and any effects it may have on adjoining properties or the City and its residents.

B. Use Standards and Dispersal Requirements

The following standards and requirements are required for any package liquor stores subject to conditional use approval:

1. No package liquor store shall be permitted within a radius of 1,500 feet of any other package liquor store. This distance shall be measured from door to door.
2. The minimum gross floor space for the use shall be 3,000 square feet. At least 50% of this shall be showroom or sales floor.
3. No sales shall be conducted through a walk-up window or drive-through.
4. Burglar bars, steel gates, and steel-roll down doors or shutters are prohibited on the exterior of a structure when visible from any public or private street. Interior security burglar bars, steel gates and roll down doors shall allow 80 percent visibility into the tenant space and shall be fully retractable during business hours of operation.

Staff Comments – The proposed text amendments cover changes to the permitted use table and use standards for package liquor stores. Package liquor stores are stores that sell liquor for off premise

consumption. These stores, for zoning purposes, include both state owned ABC Stores and private package stores. This does not include stores that only sell beer or wine. This use was added to the zoning ordinance in 2010. The zoning ordinance currently limits where these stores can be located. Package liquor stores are allowed conditionally in the C-3 and M-1 zones.

The City of Opelika has six (6) private package stores and two (2) ABC Stores. The state package stores are between 3,500-4,000 square feet. The private stores are between 500-1,200 square feet. Five of the eight are located with Gateway Corridors. A common request is to allow additional package stores. This request usually comes from gas station owners or in commercial multi-tenant buildings. All the private package stores share a building with a gas station or are immediately adjacent.

Various studies by the Center for Disease Control and Prevention and other public health organizations recommend limiting alcohol density through zoning and other means. Higher density is linked to increased excessive drinking and violence. Common ways to do this are limiting the concentration and number of establishments. Other methods of regulating the use include setting minimum floor size, setting dispersal requirements and other reviews.

The proposed regulations set a dispersal requirement of 1,500 feet between different establishments. This is a very common requirement. Many cities have requirements ranging from 500 feet to 1 mile. The City of Opelika currently uses similar spacing requirements for body art, adult uses, and other uses.

The other minimum requirement is to set a minimum floor area for package liquor stores. Many of the current private stores share staff between convenience stores and liquor stores. Larger stores have dedicated staff to better ensure regulations and laws are met.

These regulations allow for additional package liquor stores while also providing guidelines and regulations for how they operate.

Recommendation: A positive recommendation to City Council for both text amendments.

Engineering Department Report

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

Opelika Utilities Board Report

No comment.

Opelika Power Services Report

No comment.

Section 7.3

1. District Regulations

AREA REQUIREMENTSⁱ

	R-1	R-1A	R-2	R-3 ⁱⁱ	R-4/M	R-5/M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Minimum Lot Width (ft.)	100	90	80	70	60	60	60 <u>none</u>	60	60	60	60	60	100	100

B. Uses Allowed.

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

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2. Conditional Use – Further review required by the Planning Commission as directed by Section 8.17 of this ordinance.
3. Not allowed – Use not allowed in this zone.

Allowed – A Conditional – C Not Allowed – N

C. Use Categories.

USES

DISTRICTS

	R-1	R-1A	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Package Liquor Store	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N <u>C</u>	N

SECTION 8.28.4 RESERVED

SECTION 8.28.5 Package Liquor Store

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