



CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
February 24, 2026
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. **FINAL PLAT**
 1. Highline SD, 56 lots, 2410 Cunningham Drive, Aaron Adams, authorized representative for James G. McClain Jr., property owner, final approval.
 - B. **REZONING, AMENDMENT TO 2040 COMPREHENSIVE PLAN, CONDITIONAL USE and PRELIMINARY PLAT – Public Hearing**
 2. (a) Rezoning Request, Marc McLaughlin, authorized representative for Capps Family Partners LTD, property owners, 3310 Society Hill Road, 18.1 acres, from R-1 to C-2.
(b) Amendment to Land Use Plan, 18.1 acres, 3310 Society Hill Road, from mixed residential to local commercial.
 3. **CONDITIONAL USE - Public Hearing**
Marc McLaughlin, authorized representative for Capps Family Partners LTD, property owners, 3310 Society Hill Road, 18.1 acres, from C-2 pending rezoning approval, Four commercial buildings and 252 apartment units.
 4. **PLAT (Preliminary Only) — Public Hearing**
Springs at Opelika SD, 6 lots, Marc McLaughlin, authorized representative for Capps Family Partners, LTD, property owners, 3310 Society Hill Road, preliminary approval.
 - C. **CONDITIONAL USE – Public Hearing**
 5. Josh Mura, Samford Group, LLC, authorized representative for Southside Opelika LLC, property owners, 410 Geneva Street, Mixed Use Commercial and Residential (4 cottages & 6 loft apartments).
 6. Lee Tharp, authorized representative for VOPD LLC, property owner, 1.1 acres, 85 Veterans Parkway, Commercial multi-tenant office/warehouse development.

7. Barrett-Simpson, Inc. Blake Rice, authorized representative for JD Real Properties, LLC, property owner, 4800 Birmingham Highway at Grand National Parkway, C-3, GC-P, Extreme Powersports ATVs sales and maintenance.
8. Jason Scott Hise, property owner, 1025 and 1011 Walker Gray Court, C-3, Commercial warehouse building.

D. REZONING - Public Hearing

9. Rezoning Request, Josh Mura, Samford Group LLC, authorized representative for Dunlop Family Investments LLC, property owners, 21.6 acres, 598 Dunlop Drive, from R-1 to R-3 & R-2.

10. (a) Rezoning Request, Alan Dorn, authorized representative for War Eagle Properties, LLC, property owners, 113.4 acres, 4600 block Birmingham Highway, from R-2 to C-3, GC-P.
(b) Amendment to Land Use Plan, 4600 block Birmingham Highway, 113.4 acres, War Eagle Properties, LLC, property owners, from Office/Business Park and Single-Family Neighborhood to Office/Business Park.

E. ANNEXATION

11. Annexation, Janie Payton Powers and John Austin Morgan, property owners, 4.6 acres, 223 Lee Road 799, R-1 zoning district requested.

V. OLD BUSINESS

F. CONDITIONAL USE — Public Hearing

- ~~12. Tyler Hearin, authorized representative for Leslie Greene Dudley, property owner, 1525 Old Columbus Road, M-1 zoning district, Recovered material processing facility. (This item was tabled at the January 27th Planning Commission meeting.)~~

G. CONDITIONAL USE and PRELIMINARY PLAT — Public Hearing

13. Lee Tharp (Kadre Engineering), authorized representative for Richard D. Starr and James L. Starr, property owners, 1500 block Century Boulevard, R-5 pending rezoning approval, 48 townhomes. *(This item was tabled at the January 27th Planning Commission meeting.)*
14. Century Park SD, 48 lots, 1500 block Century Boulevard, Lee Tharp (Kadre Engineering), authorized representative for Richard D. Starr and James L. Starr, property owners, preliminary approval pending rezoning approval. *(This item was tabled at the January 27th Planning Commission meeting.)*

VI. ADJOURN

“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.

January 27, 2026

TIME: 3:00 PM

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

The City of Opelika Planning Commission held its regular monthly meeting January 27, 2026 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 Eddie Smith, Councilwoman Leigh Whatley, Mr. Sheldon Whittelsey, Dr. Arturo Menefee, Mr. Ben Bugg, Mr. Tom Penton, and Mr. John Sweatman.

MEMBERS ABSENT: Mr. Jay Walters

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

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

- II. Elect Officers to Planning Commission (Chairman, Vice Chairman)

The first item of business was to hold the annual election of officers for the Planning Commission.

Chair Cannon opened the floor for nominations.

Mr. Whittlesey nominated Lucinda Cannon for Chair and John Sweatman for Vice Chair.

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

- III. APPROVAL OF MINUTES

Approval of Planning Commission Minutes 12-16-26

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Director John Sweatman
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

IV. UPDATE ON PREVIOUS CASES

V. NEW BUSINESS

A. ANNEXATION and REZONING — Public Hearing

1. Annexation, Patriot Development Group, authorized representative for JMJ Development, LLC, property owners, 239.1 acres, 3000 block Rocky Brook Road, Requesting PUD zoning district.

Mr. Mosley presented the staff report to the Planning Commission for the request of annexation of 239.11 acres by JMJ Development, LLC for Patriot Development Group. Mr. Mosley stated that the property is a priority one area for annexation, meaning it is surrounded on all sides by The City Of Opelika.

The Planning Department recommends that the Planning Commission send a positive recommendation to the City Council to annex this property.

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

Motion for a positive recommendation to the City Council for Annexation

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

2. (a) Rezoning Request, Moon, Meeks & Associates, INC., authorized representative for JMJ Development, LLC, property owners, 239.1 acres, 3000 block Rocky Brook Road, from R-1 to PUD.
(b) Amendment to Land Use Plan, 3000 block Rocky Brook Road, 239.1 acres, Moon, Meeks & Associates, INC., authorized representative for JMJ Development, LLC, property owners, from a rural reserve designation to a single-family neighborhood land use designation.

Mr. Mosley presented the staff report to the Planning Commission for a rezoning request made by Moon, Meeks and Associates on behalf of JMJ Development. LLC. Mr. Mosley stated the subject property takes access from Rocky Brook Road, Hillflo Avenue and Palin Avenue, and is currently not in the city limits. If annexation is approved, the property would automatically be

designated R-1 and the applicants are proposing a rezoning to PUD. While the conceptual plan shows 400 homes, the master plan shows 370 residential lots, with two community park areas and a trail system. The lot sizes proposed for the PUD would be a minimum of 7,500 sq ft with a minimum lot width of 60 ft, and a density of 1.7 units per acre. He noted that the lots in the Cedar Creek PUD area are generally 2 to 3 times larger, (20,000 sq ft with a minimum lot width of 90 ft.) He stated the property is in the Saughatchee Watershed Protection Area, which limits development to two units per acre if public sewer is available, and three acres if it is not. Single-family detached is limited to lot sizes of 15,000 to 20,000 sq ft per lot where sewer is available. The exception to this is if the development uses cluster development.

Staff Recommendation:

While staff believes this master plan shows conservation neighborhood details and a development pattern that provides connectivity. The lot sizes are not in character with the surrounding developments. The master plan details are not clear. Staff recommend a negative recommendation to the City Council to rezone the property from the standard R-1 annexation zone to a PUD.

If Planning Commission chooses to send a positive recommendation to the City Council to rezone the property from the standard R-1 to PUD subject to the following:

- 1. City Council approval of the annexation request.**
- 2. The site is in the Saughatchee Watershed Protection Area. The development and subdivision must meet the requirements in the Subdivision Regulation, including Section 3.9 Size, Shape, and Improvement of Lots in the Saughatchee Watershed.**
- 3. Sidewalks are required on both sides of the street. Sidewalks shall be 5 feet wide.**
- 4. All utilities shall be located underground.**
- 5. Provide a minimum of one tree per yard for single-family lots. Corner lots provide a tree for each street. Trees may be planted in the adjacent right-of-way with city staff approval.**
- 6. All single-family homes and amenity structures shall meet the Gateway Corridor cladding requirements.**
- 7. Vinyl or aluminum siding shall not be the primary cladding material for single-family homes.**
- 8. The 25' landscape buffers shall be undisturbed unless an alternate plan is approved around the property. The 25' undisturbed landscape buffers shall be supplemented in any areas where the buffer does not provide a near full screen.**
- 9. Fire access will be required to be met for the development. Development of greater than 30 lots shall require a secondary fire access route. Full access to both roads shall be required once the development reaches 100 lots.**

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

Chair Cannon opened the public hearing.

Jeff Tickle, Hickory Lane: Expressed concerns about watershed, quality of water, traffic and cluster homes.

Michael Collier, 300 Hillflo: stated that wetlands are non-buildable areas which will affect the density. He expressed concerns about the lot sizes. He requested that the development be denied.

Chad Newbult, 1867 Hunt Lane: Expressed concern about the watershed, Saughatchee Lake and the impact on drinking water quality. Opposed the rezoning to PUD.

Allison Jackson, 804 Hillflo: Stated that the proposed PUD is not in harmony with the adjacent

property. She expressed concerns about the resulting impact on property values. She is opposed to the proposal.

Rachel White, 1401 Piedmont: Expressed that the proposed PUD would not preserve the integrity of the neighborhood. She is concerned about the traffic and the impact on the infrastructure of schools.

Cameron Hunt, 3101 Oak Bowery: Expressed concerns that rezoning in this area would affect the roads and public infrastructure.

Larry Murphy, 2710 Rockybrook Road: Stated he is opposed to the rezoning based on property density and traffic issues it would cause.

Vince Stiletto, 1895 Palin Avenue: Expressed concerns about building homes in wetlands and water run off issues, as well as health issues that can occur.

Matt Morris, 2709 Rockybrook Lane: Expressed concerns that the proposed development would be built on an old homestead and would disrupt slave graves located there.

Dave Meadows, 1848 Hunt Lane: Stated the impact of zoning change to a PUD would have future negative consequences.

Drew White, 1401 Piedmont: Spoke about his experience in Georgetown, Texas, where he lived before moving back to Opelika and the impact of too much growth on the town. He doesn't want that to happen to Opelika.

Richard Compton, 3150 Oakbowery Road: Pointed out the number of people in attendance in opposition to the development.

Jerry Kelly, 1200 Willow View Drive: Sees this as a poor use of 138 acres. He stated that the Commission should approve the annexation, but the developers should come back with a better plan for a future development of this property.

Chair Cannon closed the public hearing.

Motion to send a negative recommendation to City Council

RESULT:	Passed
MOVER:	Councilwoman Ward 3 Leigh Whatley
SECONDER:	Mayor Eddie Smith
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

B. PLAT (Preliminary and Final) – Public Hearing

3. Resubdivision of Lot C, Piper Sage Station SD, 9 lots, PLS Group, Inc., authorized representative of Hayley Enterprises, LLC, property owners, 928 N Railroad Avenue and 901 1st Avenue, preliminary and final approval.

Mr. Mosley presented the staff report to the Planning Commission for the request of preliminary/final plat approval for the applicant, PLS Group. Mr. Mosley stated the applicant requests preliminary and final approval for a 9-lot subdivision in the C-1 downtown zoning district. The purpose of the subdivision is to subdivide the existing warehouse building into individual lots.

The Planning Department recommends preliminary and final plat approval subject to staff recommendations:

- 1. No adjoining property owners as shown. “Adjoiner” in this context, includes owners directly across abutting rights-of-way.**
- 2. Opelika Utilities Board has reverted to Opelika Water Board.**
- 3. Add a signature line for the Chairman of the Planning Commission.**
- 4. Remove preliminary plat from the title.**
- 5. Add a utility easement to the access easement in Lot C.**

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

Chair Cannon opened the public hearing.

Jeff Moulton, Owner of Jefferson's Restaurant Downtown Opelika: Expressed concerns about parking for customers downtown with the addition of new businesses.

Mr. Mosley: Stated that there is a parking lot that they will use.

Sarah Lyle with PLS Group: Offered to answer questions and then addressed the previous parking question.

Chair Cannon closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Tom Penton
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

C. FINAL PLAT

4. Bay Court SD, 5 lots, Bay Court, Emily Key, authorized representative for Three Key Properties, LLC, property owner, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the request by Emily Key, representing Three Keys Properties for final plat approval for Bay Court Subdivision. He stated that it was discussed at the November meeting that the two streets providing access to the 5 lots had narrow right-of-ways and asphalt widths. The plat presented today provides a 20-foot wide access and fire lane easement accessed from Bay Court. (Bay Court’s asphalt width is 20’ wide.)

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

5. Hidden Lakes North SD, 90 lots, Sportsplex Parkway, Blake Rice, BSI, Inc., authorized representative for Fire Rock Development Company, LLC, property owners, final approval.

Mr. Mosley presented the staff report to the Planning Commission for the request by Blake Rice, BSI Inc., representing Fire Rock Development Company, for final plat approval of Hidden Lakes Subdivision. He stated that the PUD rezoning and master plan was approved in 2022. Phase 1 has 25 lots at least 90’ wide and 65 lots at least 60’ wide. The minimum 60’ and 90’ lot widths are obtained at the property line or at the 20’ front setback line. The 65 lots, minimum 60-foot width, range from 8,867 sf to 17,121 sf. The 25 lots, minimum 90-foot widths range from 14,320 sf to 21,517 sf.

Staff recommends final plat approval subject to the following conditions:

1. Sidewalks are required on both sides of the street.
2. All utilities shall be located underground
3. Provide a minimum of one tree in the front yard of lots that face a street. For corner lots add at least one tree for each street. Provide the tree locations on the site plan provided for setback review.
4. For PUD zoning districts, add minimum setbacks on the final plat for recording.
5. Add a note on final plat about the uses allowed in Lot 195.
6. Label the 24’ buffer strip on Lot 195 and adjacent to Lots 1 to Lot 24 - 24’ Undisturbed Buffer”.
7. A secondary access shall be installed prior to the issuance of the 31st building permit. This access shall meet the minimum requirements for a fire access road.

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

Motion to grant final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Sheldon Whittelsey
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	None

- D. **AMENDMENTS TO 2040 COMPREHENSIVE PLAN and REZONING - Public Hearing**
 6. (a) Rezoning Request, Paul Brumett, property owner, 12.5 acres, 1550 and 1570 North Uniroyal Road, from R-2 to C-2, GC-P.
 - (b) Amendment to Land Use Plan, 1550 and 1570 North Uniroyal Road, 12.5

acres, Paul Brumett, property owner, from an Office/Business Park to a Corridor Commercial land use designation.

Mr. Mosley presented the staff report to the Planning Commission for the request to rezone 12.5 acres from R-2 to C-2, GC-P, by Paul Brumett, property owner. Mr. Mosley stated that the C-2 zone is appropriate for the proposed use, but the Planning Staff has concerns about the fact that there is currently no sewer service available in this area.

Staff Recommendation

While staff recognize that the adjoining property is zoned C-2 and the land use plan supports this rezoning, we have concern rezoning the property to a commercial use without sewer being available.

The Planning Staff recommends the Planning Commission send a negative recommendation to the City Council to rezone the 12.5-acre property from R-2/GC-P to C-2/GC-P. If the Planning Commission or City Council feels that C-2 is appropriate now, any approval should be with the conditional that no commercial development shall occur until such time that the property is served by sanitary sewer.

Mr. Mosley presented the staff report to the Planning Commission for a request for an Amendment to the 2040 Comprehensive Plan by Paul Brumett, property owner.

Staff Recommendation

The surrounding areas are all Business Office Park. At this time, staff does not feel it is appropriate to change a small section to Commercial Corridor. The recommendation for altering the land use does not change whether the Planning Commission recommends approval of the rezoning or recommends denial.

Staff does not recommend altering the future land use designation from Office/Business Park to Commercial Corridor at this time.

Chair Cannon opened the public hearing.

Josh Hallmark, (representing Paul Brumett, owner of the property and pastor of Gateway Community Church): Explained that the property is intended for the future home of a church, and would be commercial property.

Paul Brumett, landowner, representing Gateway Church: Stated that the land is more suitable for commercial property.

Chair Cannon closed the public hearing.

Motion to Deny Amendment to 2040 Comprehensive Plan

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Councilwoman Ward 3 Leigh Whatley
DISCUSSION:	Tom Penton asked if the applicant would need to pay for sewer? Mr. Mosley answered that typically the expense would be on the developer. He pointed out that a church was approved for this property in the past and churches can have an exception and may use septic tanks.
AYES:	Chair Cannon, Bugg, Penton, Menefee, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None
ABSTAIN:	Sheldon Whittelsey, Mayor Eddie Smith

Motion to send a positive recommendation to City Council with Conditions

RESULT:	Passed
MOVER:	Mayor Eddie Smith
SECONDER:	Director Sweatman
DISCUSSION:	Sheldon Whittlesey recommends that if a positive recommendation is sent to City Council, it would be conditional that the owner provide the necessary utilities for the commercial zone.
AYES:	Chair Cannon, Mayor Eddie Smith, Bugg, Penton, Menefee, Councilwoman Ward 3 Whatley, Director Sweatman, Sheldon Whittelsey
NAYS:	None
ABSTAIN:	None

- E. **AMENDMENT TO 2040 COMPREHENSIVE PLAN, REZONING, CONDITIONAL USE and PRELIMINARY PLAT – Public Hearing**
- 7. (a) Rezoning Request, Lee Tharp (Kadre Engineering), authorized representative for Richard D. Starr and James L. Starr, property owners, 42.7 acres, 1500 block Century Boulevard, from R-3 to R-5.
(b) Amendment to Land Use Plan, 42.7 acres, 1500 block Century Boulevard, from single-family neighborhood to a mixed residential land use designation.

Mr. Mosley presented the staff report to the Planning Commission for the request to rezone 42.7 acres from R-3 to R-5, by Lee Tharp, representing Richard Starr and James Starr. He explained that the request for rezoning would fit in with the adjacent properties on the south and west of the property. He explained that 24 acres of the 42.7 acre proposed property for rezoning are located in the 100-year flood zone. Therefore, the density would be lower than the R-5 maximum density of 16 dwellings per acre.

Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the property from R-3 to R-5.

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

Chair Cannon opened the public hearing.

Lee Tharp, Kadre Engineering: Stated he was here to answer any questions.

Chair Cannon closed the public hearing.

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

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Director John Sweatman
AYES:	Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	Chair Lucinda Cannon
ABSTAIN:	None

Mr. Mosley presented the staff report to the Planning Commission for an Amendment to the 2040 Land Use Map for 42.7 acres, 1500 block Century Boulevard. He stated that the 2040 Land Use Plan designates the undeveloped 42.7-acre rezoning property as "single-family

neighborhood." The proposed rezoning property for a townhome development is a "mixed residential" designation on the Land Use Plan. The existing adjacent and nearby apartment and townhome developments on Century Boulevard are in a "mixed residential" land use designation.

Staff Recommendation

With the existing multifamily developments in this area, the property is more likely to develop as multifamily than single-family homes. Staff recommends the 2040 Land Use Plan for the 42.7-acre rezoning property be amended from the "single-family neighborhood" land use designation to a "mixed residential" designation on the Land Use Plan if a rezoning to R-5 is approved by the City Council.

Motion to Amend the Future Land Use Plan

RESULT:	Passed
MOVER:	Director John Sweatman
SECONDER:	Arturo Menefee
AYES:	Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	Chair Cannon
ABSTAIN:	None

8. CONDITIONAL USE — Public Hearing

Lee Tharp (Kadre Engineering), authorized representative for Richard D. Starr and James L. Starr, property owners, 1500 block Century Boulevard, R-5 pending rezoning approval, 48 townhomes.

Mr. Mosley presented the staff report to the Planning Commission for the request of conditional use by Lee Tharp, representing Richard Starr and James Starr, pending R-5 rezoning. He stated they are requesting to have 48 townhome units and six open space lots on 42.3 acres. Townhomes are not allowed conditional use in R-3 zones. They are allowed in R-4 and R-5 zones. He noted that there is a need for connectivity, so it has been requested that they provide the right of way to extend all the way through the development to the adjacent drive off Frederick Boulevard.

Staff recommends conditional approval subject to the City Council approving the rezoning of the property from R-3 to R-5 and the following conditions:

- 1. Provide a sidewalk on both sides of Street A and Street B.**
- 2. All utilities must be installed underground.**
- 3. Provide a landscape plan that meets the base points, parking lot points, and buffer requirement of the Landscape Regulations. The landscape plan must also include the buffers provided in the conceptual plan. The buffers must meet the Gateway Corridor landscape buffers (Section 7.6 Zoning Ordinance) along the side yard of Lot 1, Lot 3 & open space lot #4, and a buffer along Lot 1 to Lot 11.**
- 4. The townhome exterior materials presented at the Planning Commission meeting must be installed on the townhomes.**
- 5. The minimum 25' front setbacks for Lots 34, 35, and 36 located on the cul de sac are not met. Revise the site plan (and plat) so the minimum setbacks are met.**
- 6. Revise the site plan or building footprint so the three parking spaces on cul-de-sac Lots 34, 35, and 36 are on private property not right-of-way.**
- 7. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.**

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

Chair Cannon opened the public hearing.

Lee Tharp: Stated the applicant has no issues with staff recommendations and access is dependent on right of way, but alignment has been done in coordination with the City.

April White, Bullock Court: Asked if the easement would go through Bullock Court and will the new development affect the water usage for current residents?

Matt Mosley: Stated that additional water would be required, and before the road would go in. He stated that it would have to be brought up to City Code and Standards.

Chair Cannon closed the public hearing.

A motion for conditional use approval was made by Director John Sweatman and seconded by Arturo Menefee.

Mr. Whittlesey proposed an amendment to the motion of conditional use to state that the developer would be required to complete Century Boulevard through its development to Bullock Road. Councilwoman Leigh Whatley seconded the motion.

City Representative John Sweatman stated that he is not in favor of the amendment as it puts an undue burden on the developer at this time.

Mr. Bugg: Stated that he would like to hear from the developer.

Mr. Tharp: Stated that he does not see the viability of development if the road had to be constructed, due to the creek crossings. He stated that they would need to come back with a different conditional use with more density to make it viable.

Mr. Whittlesey: Stated that he is concerned about fire safety and access. He is trying to be proactive. Maybe it could be a city venture.

Mr. Mosley: Stated that discussion would need to happen between the developer, the City Engineer and City Council.

Mr. Tharp: Requested that language be put into place that would encourage a shared development of the project.

Mr. Bugg: Stated that he would like to see the property before making a decision.

Mayor Eddite Smith: Inquired about mitigation credits.

Mr. Tharp: Stated that there would be significant Army Corps of Engineers and FEMA impacts associated with the extension of the road.

Motion to table the item.

RESULT:	Passed
MOVER:	Sheldon Whittelsey
SECONDER:	Arturo Menefee
AYES:	Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS:	None

ABSTAIN: None

9. **PLAT (Preliminary Only — Public Hearing)**

Century Park SD, 48 lots, 1500 block Century Boulevard, Lee Tharp (Kadre Engineering), authorized representative for Richard D. Starr and James L. Starr, property owners, preliminary approval pending rezoning approval.

Motion to table the item with applicant's consent.

RESULT: Passed
MOVER: Sheldon Whittelsey
SECONDER: Director John Sweatman
AYES: Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS: None
ABSTAIN: None

F. **AMENDMENTS TO 2040 COMPREHENSIVE PLAN and REZONING - Public Hearing**

10. (a) Rezoning request, Nicholas C. Howell, authorized representative for Eagle Warehouses LLC, property owners, 1.5 acres, 1502 Spring Drive, from R-5M to C-3.
(b) Amendment to Land Use Plan, 1.5 acres, 1502 Spring Drive, from mixed residential to corridor commercial.

Mr. Mosley presented the staff report to the Planning Commission for the request by Nicholas Howell, representing Eagle Warehouses, LLC, for rezoning of 1.5 acres, 1502 Spring Drive, from R-5M to C-3. Mr. Mosley stated that the properties surrounding the subject property are zoned C-3, and it would be an appropriate for a warehouse or commercial use.

Planning Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the 1.5 acre property from R-5M to C-3.

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

Chair Cannon opened the public hearing.

No comments.

Chair Cannon closed the public hearing.

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

RESULT: Passed
MOVER: Tom Penton
SECONDER: Sheldon Whittelsey
AYES: Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS: None
ABSTAIN: None

Staff recommends the 2040 Land Use Plan for the 1.5 acre rezoning property be amended from the “mixed residential” land use designation to a “commercial corridor” designation

on the Land Use Plan if a rezoning from R-5 to C-3 is approved by City Council.

Motion to approve the Amendment to the Future Land Use Map

RESULT: Passed
MOVER: Director Sweatman
SECONDER: Tom Penton
AYES: Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS: None
ABSTAIN: None

VI. OLD BUSINESS

G. CONDITIONAL USE — Public Hearing

11. Tyler Hearin, authorized representative for Leslie Greene Dudley, property owner, 1525 Old Columbus Road, M-1 zoning district, Recovered material processing facility. *(This item was tabled at the December 16th Planning Commission meeting.)*

Item will remain on table.

VII. ANNOUNCEMENT

Mayor Eddie Smith announced that an ordinance will be introduced at the City Council meeting Tuesday, January 27, 2026. The ordinance is for a temporary, one-year moratorium on new subdivisions, apartment complexes and new mobile home parks. If accepted, the moratorium will go into effect on May 1, 2026.

VIII. ADJOURN

Motion to adjourn at 5:24 p.m.

RESULT: Passed
MOVER: Director John Sweatman
SECONDER: Tom Penton
AYES: Chair Cannon, Bugg, Whittelsey, Penton, Menefee, Mayor Smith, Councilwoman Ward 3 Whatley, Director Sweatman
NAYS: None
ABSTAIN: None

Chair Lucinda Cannon

Matt Mosley

Agenda Item

A-1

Final Plat

Highline Subdivision



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

PC DEADLINE: 1/28/26 PC MEETING: 2/24/26

SITE ADDRESS: _____

PROPERTY OWNER: James G McClain Jr.

APPLICANT/AUTHORIZED REPRESENTATIVE: Aaron Adams

MAILING ADDRESS: _____

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

EMAIL ADDRESS: _____

TYPE OF PLAT APPROVAL REQUESTED

- SKETCH PLAN ADMINISTRATIVE PRELIMINARY FINAL

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

- Annexation Rezoning Other _____

PARCEL INFORMATION

Subdivision Name: Highline Townhomes

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

Current Land Use: Townhouse

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

Current Zoning: R4

Fee: \$75.00

Proposed use of the Subdivision: To build a townhome community

TOTAL = 357.58

- Residential Commercial
 Manufacturing/Industrial Office/Institutional

PAID _____

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

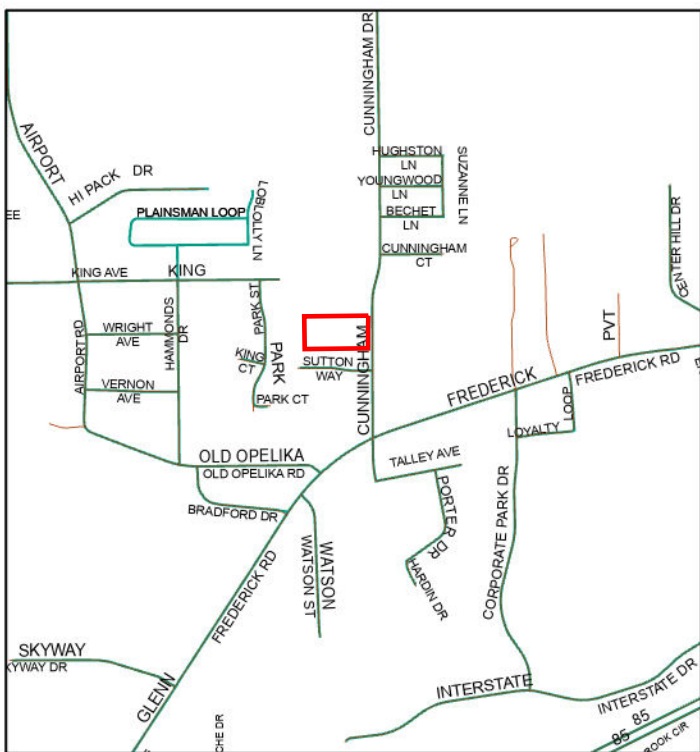
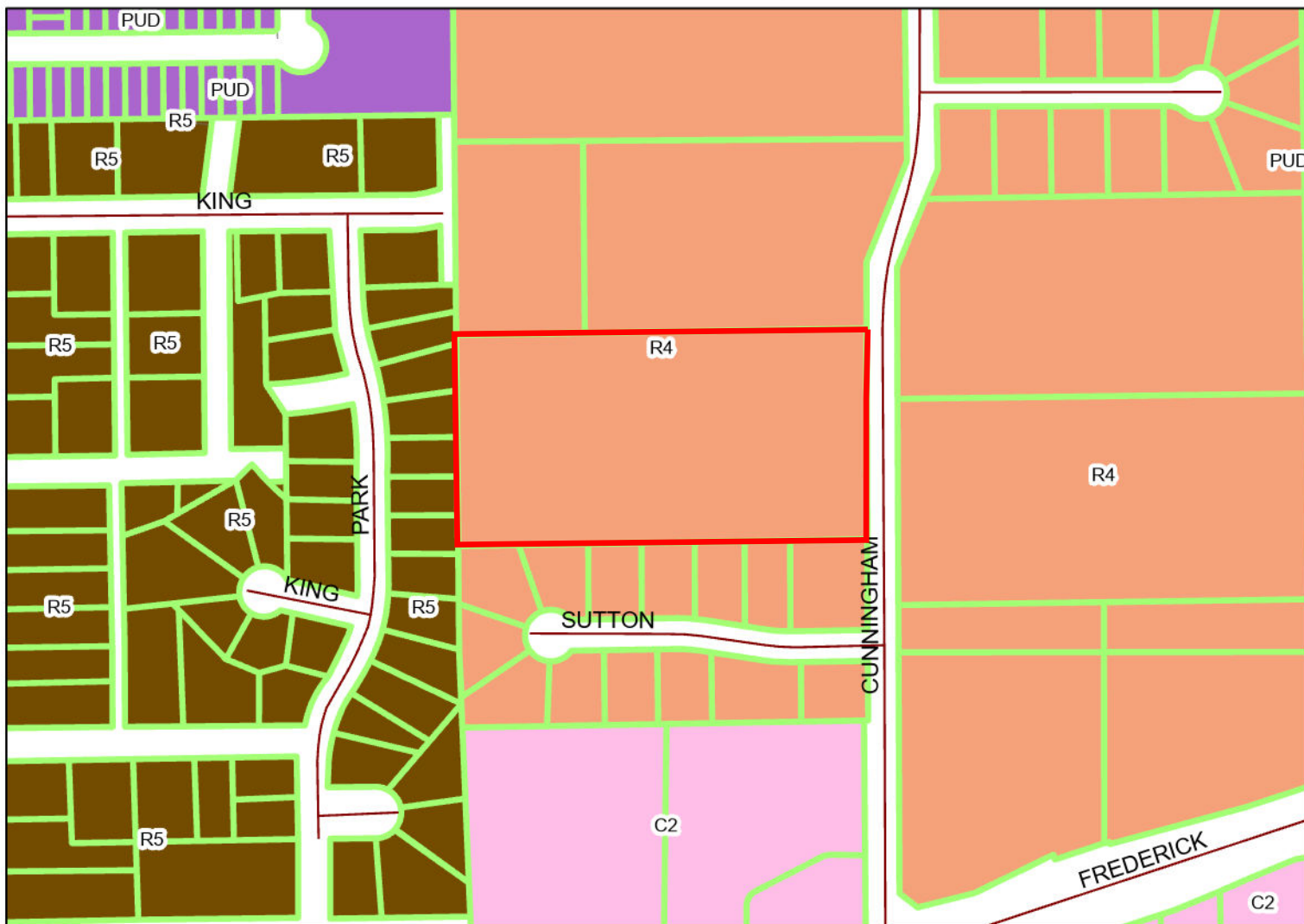
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE:

(PRINT NAME) Aaron Adams

1/28/26

DATE

HIGHLINE SUBDIVISION 2410 CUNNINGHAM DRIVE FINAL APPROVAL, A-1



The final plat is for 56 townhome lots accessed from a new street.



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

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL ON THIS THE 28TH DAY OF JANUARY, 2026.

DYLAN M. COOK, AL P.L.S. REG. NO. 50880
NOT A CERTIFIED SURVEY UNLESS SIGNED
AND STAMPED WITH MY SEAL.

STATE OF ALABAMA
LEE COUNTY

I, AARON ADAMS AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF DYLAN M. COOK AND CERTIFY THAT IT IS OUR PURPOSE TO SUBDIVIDE LANDS SHOWN ON THIS PLAT INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND ON THIS THE ____ DAY OF _____, 2026.

AARON ADAMS
OWNER

STATE OF ALABAMA
LEE COUNTY

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL ON THIS THE ____ DAY OF _____, 2026.

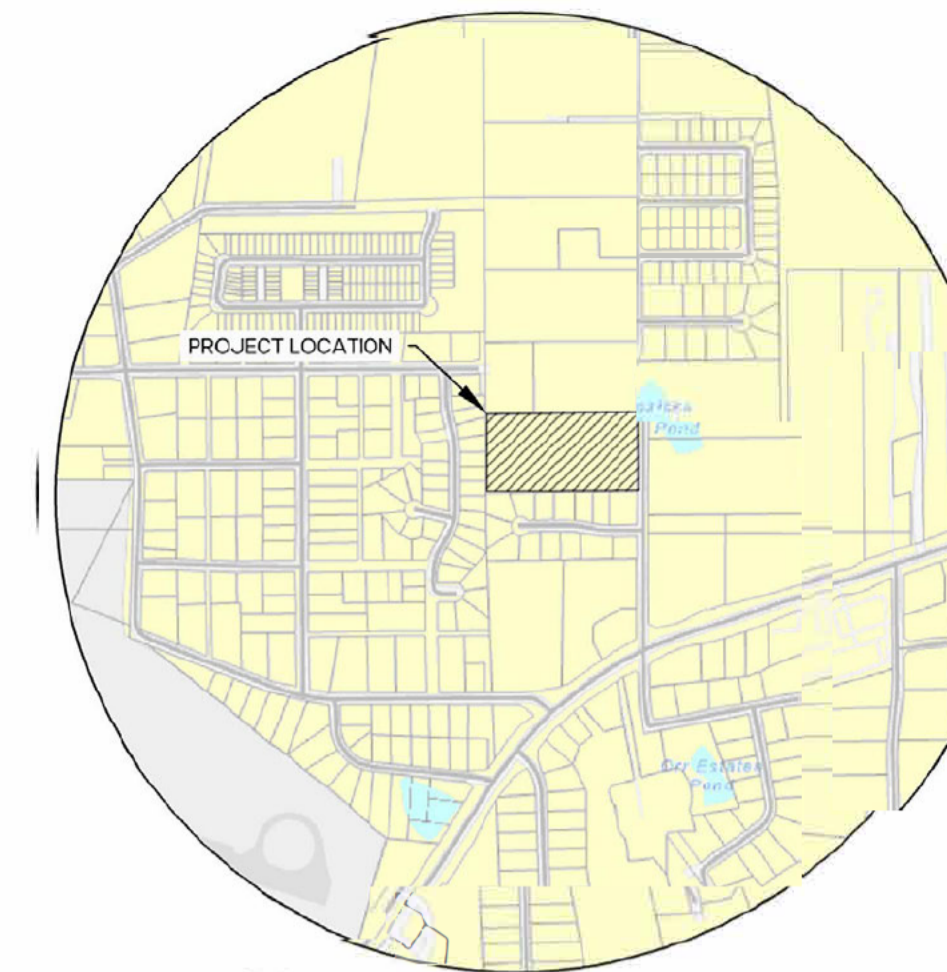
NOTARY PUBLIC
MY COMMISSION EXPIRES:

CITY OF OPELIKA, ALABAMA:

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA: _____ DATE: _____
PUBLIC WORKS DIRECTOR: _____ DATE: _____
APPROVED BY THE OPELIKA CITY PLANNING DEPARTMENT, OPELIKA, ALABAMA: _____ DATE: _____
PLANNING DIRECTOR: _____ DATE: _____
APPROVED BY THE OPELIKA PLANNING COMMISSION, OPELIKA, ALABAMA: _____ DATE: _____
CHAIRMAN: _____ DATE: _____
APPROVED BY THE OPELIKA CITY ENGINEER: _____ DATE: _____
CITY ENGINEER: _____ DATE: _____
APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA: _____ DATE: _____
OPELIKA UTILITIES BOARD: _____ DATE: _____
REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, ALABAMA: _____ DATE: _____
OPELIKA POWER SERVICES: _____ DATE: _____

NOTES:

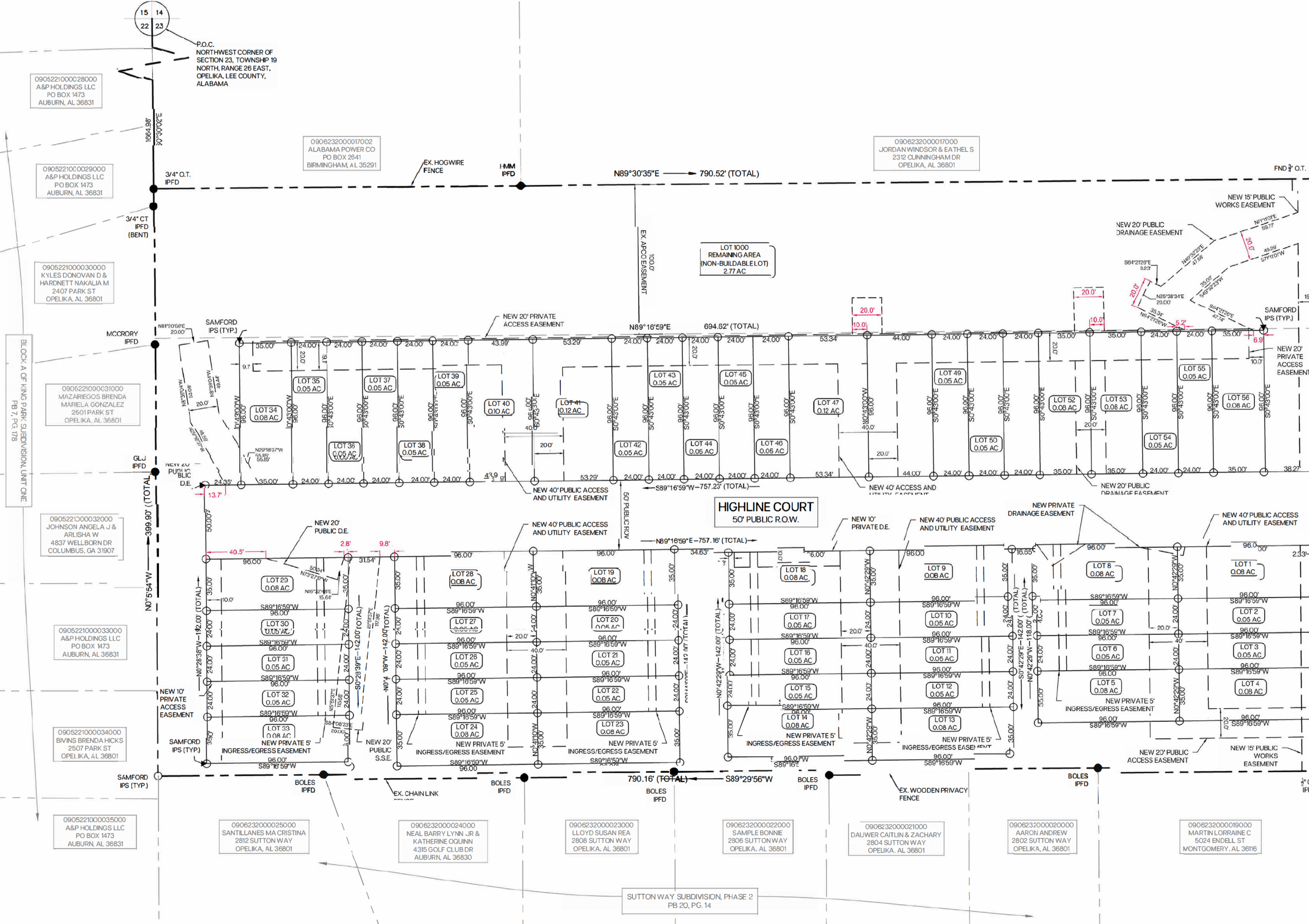
- 1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- 2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING OPELIKA CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM VERTICAL DATUM IS NAVD 88.
- 3. NORTH IS BASED ON GRID NORTH.
- 4. NO TITLE SEARCH WAS DONE AS PART OF THIS SURVEY.
- 5. FIELDWORK COMPLETED JANUARY 23, 2026. OFFICEWORK COMPLETED JANUARY 27, 2026.
- 6. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, AND TO ANY TELEPHONE COMPANIES SERVING THE CITY OF OPELIKA, FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLES, LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF FRONT AND SIDE LOT LINES.
- 7. ACCORDING TO FEMA FIRM MAP NO. 01081C2004, PANEL NUMBER 206 OF 381 FOR THE CITY OF OPELIKA, ALABAMA, EFFECTIVE DATE JANUARY 17, 2025, THE PROPERTY IS IN ZONE X, WHICH IS AN AREA OF MINIMAL FLOOD RISK.
- 8. OWNER WILL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE UNTIL HOMEOWNERS ASSOCIATION IS ESTABLISHED.
- 9. THIS DEVELOPMENT IS SERVED BY OPELIKA UTILITIES FOR WATER AND SANITARY SEWER SERVICES.
- 10. THE OWNER/DEVELOPER OF THE PROPERTY IS AARON ADAMS 653 FERNWOOD CIRCLE, OPELIKA, AL 36804.



VICINITY MAP
NOT TO SCALE

LEGEND

- BOLES PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING BOLES SURVEYING, LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-0082
- GLJ PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING GRADY L. JIMMERSON'S ALABAMA LAND SURVEYING REGISTRY NUMBER 19746
- HMM PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING HATCH-MOTT MACDONALD ALABAMA INC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-829
- MCCRORY PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING JAMES L. MCCRORY'S ALABAMA LAND SURVEYING REGISTRY NUMBER 21493
- SAMFORD PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING SAMFORD GROUP SURVEYING, LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-50492
- CT CRIMPED TOP
- OT OPEN TOP
- IPFD IRON PIN FOUND
- IP S IRON PIN SET
- IP Δ CALCULATED POINT
- IP ■ CONCRETE MONUMENT FOUND
- IP ⊗ SPIKE NAIL SET
- IP - - BARBED WIRE FENCE
- IP - - RIGHT-OF-WAY
- IP (F) FIELD MEASUREMENT
- IP (P) PLAT MEASUREMENT



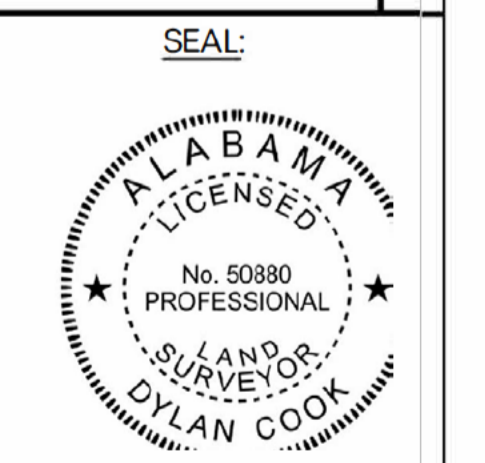
Parcel Area Table			Parcel Area Table		
Parcel #	Area	DESCRIPTION	Parcel #	Area	DESCRIPTION
1	3360.01	TH LOT	31	2304.00	TH LOT
2	2304.05	TH LOT	32	2304.00	TH LOT
3	2304.08	TH LOT	33	3360.01	TH LOT
4	3360.19	TH LOT	34	3360.01	TH LOT
5	3360.02	TH LOT	35	2304.01	TH LOT
6	2304.00	TH LOT	36	2304.01	TH LOT
7	2304.00	TH LOT	37	2304.00	TH LOT
8	3359.98	TH LOT	38	2304.00	TH LOT
9	3360.00	TH LOT	39	2304.00	TH LOT
10	2304.00	TH LOT	40	4223.04	TH LOT
11	2304.00	TH LOT	41	5115.84	TH LOT
12	2304.00	TH LOT	42	2304.00	TH LOT
13	3360.00	TH LOT	43	2304.00	TH LOT
14	3360.00	TH LOT	44	2304.00	TH LOT
15	2304.00	TH LOT	45	2304.00	TH LOT
16	2304.00	TH LOT	46	2304.00	TH LOT
17	2304.00	TH LOT	47	5120.65	TH LOT
18	3360.00	TH LOT	49	2304.00	TH LOT
19	3360.00	TH LOT	50	2304.00	TH LOT
20	2304.00	TH LOT	52	3360.00	TH LOT
21	2303.99	TH LOT	53	3360.00	TH LOT
22	2303.99	TH LOT	54	2304.00	TH LOT
23	3359.99	TH LOT	55	2304.00	TH LOT
24	3360.02	TH LOT	56	3360.00	TH LOT
25	2304.01	TH LOT	1000	120635.32	REMAINING AREA (NON BUILDABLE LOT)
26	2304.01	TH LOT			
27	2304.00	TH LOT			
28	3360.00	TH LOT			
29	3359.98	TH LOT			
30	2303.99	TH LOT			



SAMFORDGROUP.LLC.COM

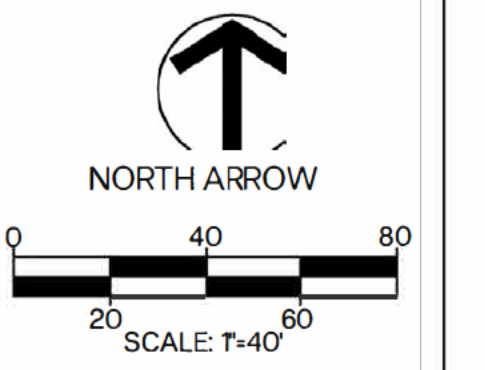
REV.	DATE

HIGHLINE SUBDIVISION
CITY OF OPELIKA, LEE COUNTY, AL 36801
DYLAN M. COOK, AL P.L.S. REG. NO. 50880
ALABAMA CERT. OF AUTH. CA. NO. 50492



DESIGN TEAM:
DRAWN BY: WB/DMC
REVIEWED BY: DMC

SCALE & NORTH ARROW:



JOB NUMBER: S002004
DATE: 01/28/2026

Agenda Item

B-2 a & b

**a) Rezoning Request: 3310 Society Hill Road.
18.1 Acres from R-1 to C-2**

**b) Amendment to Land Use Plan: 18.1 Acres, 3310
Society Hill Road, From Mixed Residential to Local
Commercial**

(Public Hearing)

10F3



REZONING APPLICATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: February 24, 2026

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Marc McLaughlin
 MAILING ADDRESS: W134 N8675 Executive Parkway, Menomonee Falls, WI 53051
 PHONE NUMBER: [REDACTED] Email: [REDACTED]

PARCEL INFORMATION

Site Address: 3310 Society Hill Road
 Description of proposed use: Springs at Opelika is a proposed upscale, market-rate gated community with 252 direct-entry garden-style homes in 7 3-story buildings. Amenities include a clubhouse with 24-hour fitness center, resort style pool, and pet park.
 Tax Parcel Number: 9082 and 9085
 Adjacent Zoning Districts: North: C2 South: R1 East: R1 West: C2

Current Land Use: Vacant
 Current Zoning: R1 Number of APO: 4 x \$7.00 = \$28
 (Adjacent Property Owners)
 Proposed Zoning: C2 Fee: \$125.00
 TOTAL = 153
 PAID: _____

I hereby request my property located at (street address) 3310 Society Hill RD,
 Tax Map parcel number 9082 and 9085 be rezoned from
R1 to C2. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE:	DATE: <u>1-6-2026</u>
(PRINT NAME) <u>Marc McLaughlin</u>	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 R1 zoning district to a C2 zoning district.

Notary Public

My Commission Expires: August 5, 2028

NOTARY SIGNATURES

Before me, Shelley Jean Caesar,
a Notary Public in and for said County and State, hereby
certify that Marc McLaughlin
whose name is signed to the foregoing petition as
Development Director [President, Chairman, etc.]

of Continental Properties,
[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 14 day
January, 2026.
Shelley Jean Caesar Notary Public

Marc McLaughlin
(print name)

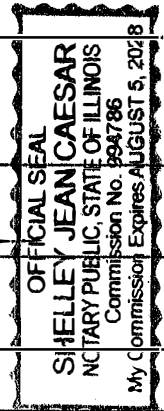
W134 N8675 Executive Parkway
(address)

Menomonee Falls, WI 53051
(city, state, zip)

BY: [Signature]
(signature)

ITS: Development Director
(title)

DATE: 1-14-2026



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

_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,

he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

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

_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,

he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

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

_____,
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,

he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

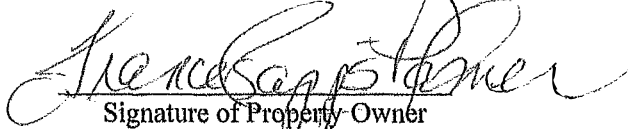
DATE: _____

City of Opelika, Lee County,
State of Alabama

EXHIBIT C

Agent Authorization

Continental Real Estate Holding LLC, and any of its affiliates, as agent for the property owner listed below, has approval to submit applications to ~~[Insert Municipality, County, State]~~ or any governmental or quasi-governmental division, bureau, department, board, council, commission, subdivision or similar entity thereof, or any private utility provider for rezoning, site plan, subdivision plat, and other necessary development related approvals and permits.



Signature of Property Owner

FRANCES - CAPPS - PALMER, AS GP
CAPPS FAMILY PARTNERS, LTD.

Printed Name of Property Owner

110.35 Acres Acacia Garden Dr.

Address of Property

03-1179049

Tax Identification #

10/23/25

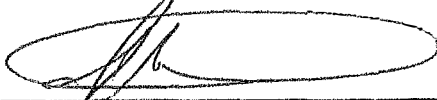
Date

STATE OF AL)

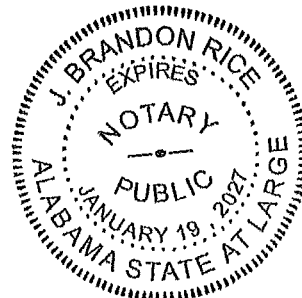
LEE COUNTY) SS.

Personally came before me this 23rd day of OCTOBER, 2025 the above named FRANCES CAPPS - PALMER of CAPPS FAMILY PARTNERS, LTD(n) ALABAMA limited liability company to me known to be such officer and acknowledge that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

WARRANTY



Notary Public, State of AL
My Commission Expires: 1/19/27



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

Meeting Date: February 24, 2026

Agenda Item #: B-2a and B-2b

Action Requested: Amendment to the Future Land Use Map and Rezoning - 18.1 acres
Amendment- from mixed residential to local commercial land use category, Rezoning - from R-1 to C-2, GC-P

Location of Property: Gateway Drive and Society Hill Road

Property Owner: Capps Family Partners, LTD
Marc McLaughlin, authorized representative

Current Zoning: C-2, GC-P and R-1

Proposed Zoning: C-2, GC-P

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	PUD and C-2, GC-P	Undeveloped
South	R-1 and C-3, GC-P	Residential and Undeveloped
East	R-1, C-2, PUD, GC-P	Residential and Commercial
West	PUD, GC-P	Restaurant and Hotel

The applicant is requesting to rezone the 6.59 acres from R-1 to C-2, GC-P. The entire site is 18.1 acres, but the majority is already zoned C-2, GC-P. The developer has requested conditional use for a 252-apartment complex on the 16.3 acres. The same property has a subdivision request to create out parcels and separate the existing residential home. C-2 is an office and light commercial zoning district that allows apartments conditionally. Apartment developments are often located adjacent to entertainment and commercial developments.

Amendment to the Future Land Use Map:

The 2040 Future Land Use Map shows the 18.1-acre property in a mixed residential land use category. The adjacent properties in the north and south are undeveloped. The adjacent properties on the east

and west land use designation are residential, undeveloped, and a restaurant. The commercial would be an appropriate transition between an entertainment PUD development and residential developments. The mixed residential land use is also appropriate for the proposed multifamily use.

Staff Recommendation:

Staff recommends approval of an amendment to the Future Land Use map for the 18.1 acres from a mixed residential land use category to a local commercial land use category. This will ensure a transition from an entertainment PUD to residential and allow for commercial development along Gateway Drive. This action is to ensure the property is consistent with the goals and purposes of the Comprehensive Plan and the surrounding properties.

Rezoning:

The applicant is requesting that a 6.59-acres be rezoned to C-2, GC-P. The adjacent properties are a mix of commercial PUDs and C-2 and R-1 zonings. The R-1 zoning is located on the former Capps family home. This interchange is now a busy commercial node. Because C-2 accommodates both commercial, retail, and residential uses, the zone is more appropriate than the legacy R-1. The rezoning request also has a conditional use request for an apartment development and a subdivision plat on this agenda. Therefore, the request is that the lot can be developed with apartments and commercial space along Gateway Drive.

Apartments in the C-2, GC-P zoning districts require conditional use approval. Uses allowed in these zones are retail, grocery stores, offices, banks, pharmacies, and restaurants. The C-2, GC-P zones do not allow open-air markets, kennels, and offices of a contractor with equipment and material yard.

Staff Recommendation

Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the 18.1-acre property from R-1 to C-2, GC-P.

Engineering Department Report

The Engineering Department has no comments or concerns regarding the proposed rezoning

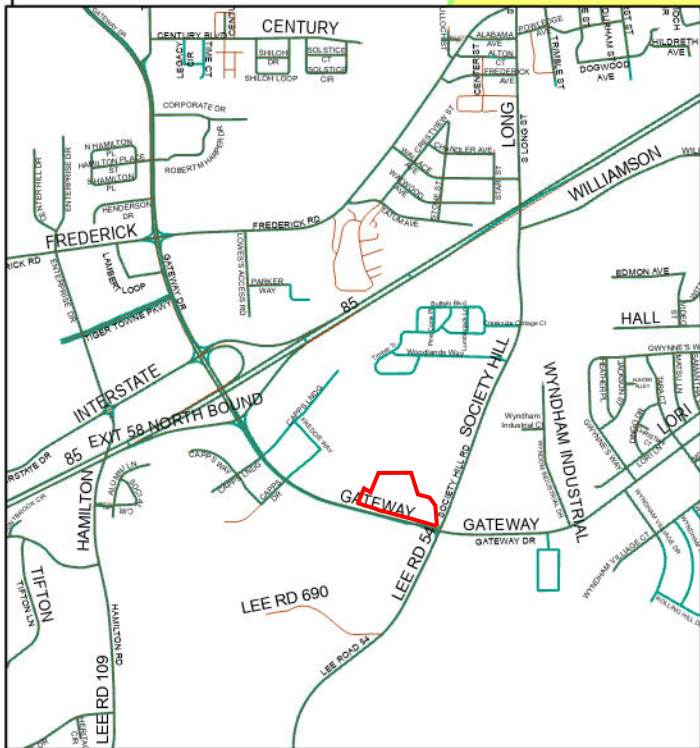
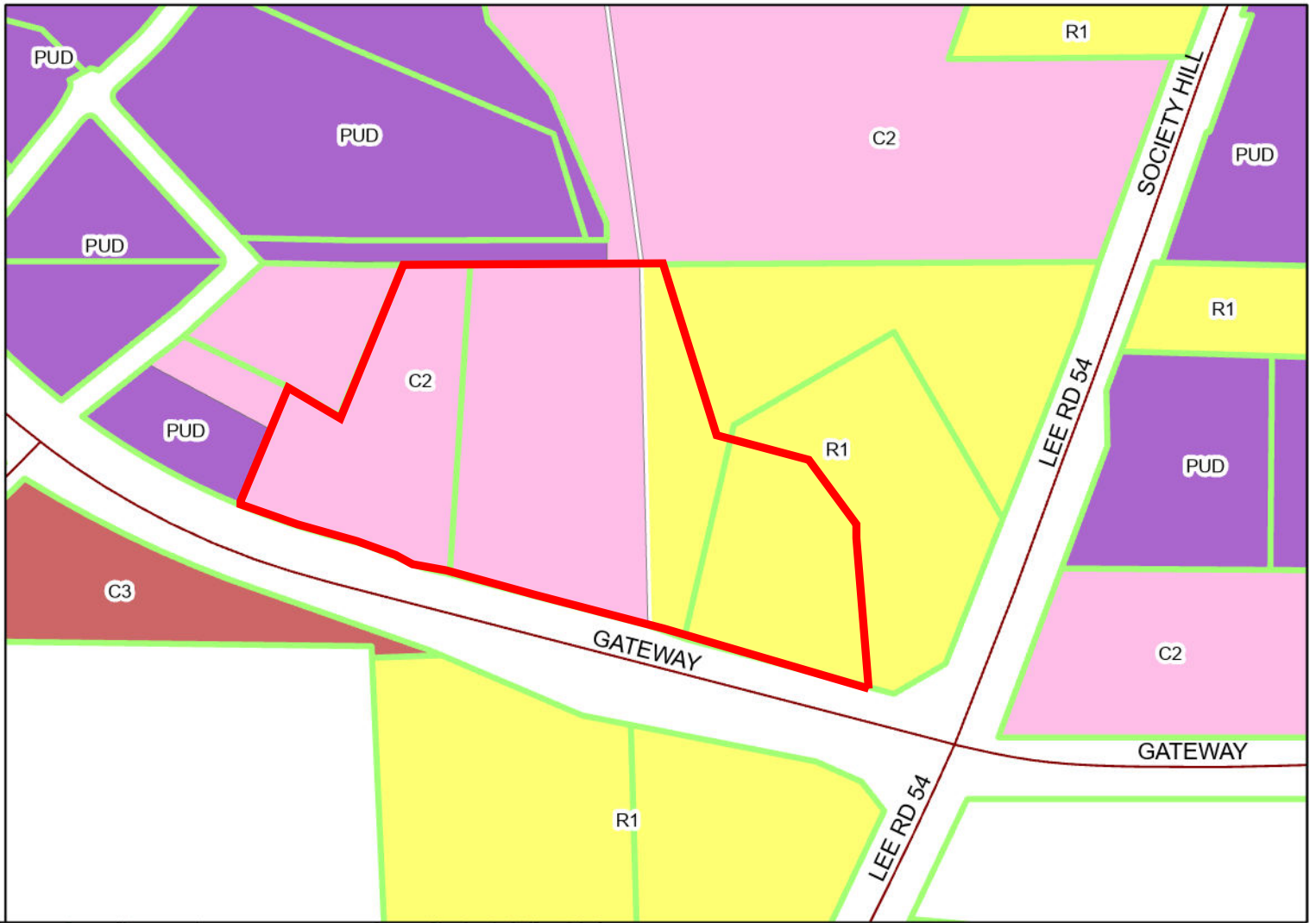
Opelika Water Report

Water service is available from 16" main on the south side of Gateway Dr.

Opelika Power Services Report

This is outside of the Opelika Power service territory.

**SPRINGS AT OPELIKA DEVELOPMENT
3310 SOCIETY HILL ROAD
REZONING, CONDITIONAL USE, & PRELIMINARY PLAT
B2A & B2B, B-3, and B-4**



The applicant is requesting approval for a commercial and residential development on 16.3 acres consisting of 252 apartment units and four commercial lots. Preliminary plat approval is also requested.



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

Agenda Item

B-3

Conditional Use

Capps Family Partners, LTD

3310 Society Hill Road



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



PC DEADLINE: _____ PC MEETING: February 24, 2026

SITE ADDRESS: XXX Gateway Dr

PROPERTY OWNER: Capps Family Partners, LTD

APPLICANT/ AUTHORIZED REPRESENTATIVE: Continental 979 Fund, LLC - Marc McLaughlin

MAILING ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

EMAIL ADDRESS: _____

PARCEL INFORMATION

Project name: Springs at Opelika Address/Location: Gateway Dr

Current Land Use: Vacant Current Zoning: C2 and R1

Adjacent Zoning Districts: North: PUD and C2 South: C3 and R1 East: R1 West: PUD and C2

Description of Proposed Use: Springs at Opelika is a proposed upscale, market-rate gated community with 252 direct-entry garden-style homes in 7 3-story buildings. Amenities include a clubhouse with 24-hour fitness center, resort style pool, and pet park

AUTHORIZATION TO ACT AS APPLICANT (if applicable) SEE ATTACHED

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

Property Owner's Signature: _____ Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

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

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

Notary Public

My Commission Expires: _____

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

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

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

1) How is the proposed use appropriate in the location for which it is proposed? The Opelika Comprehensive Plan designates the property as Mixed Residential and Mixed Use, Additionally, the property is labeled or increasing density, focusing residential development on vacant land, and missing middle homes.

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? The proposed use will not have an adverse effect on the adjacent properties. The use will fit harmoniously with the adjacent uses and the proposed future uses.


3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? Site access and location has been taken into account to minimize any adverse effects to surrounding property owners. Four commercial outlots will be platted along Gateway Dr in Ilne with the clubhouse. All residential buildings will be setback approximately 300' from ROW.

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, Marc McLaughlin, 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: 1-6-2026
(PRINT NAME) Marc McLaughlin	

STATEMENT OF UNDERSTANDING

I, Marc McLaughlin (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.

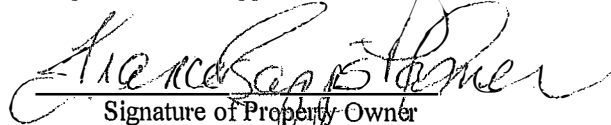
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	DATE: 1-6-2026
(PRINT NAME) Marc McLaughlin	

City of Opelika, Lee County,
State of Alabama

EXHIBIT C

Agent Authorization

Continental Real Estate Holding LLC, and any of its affiliates, as agent for the property owner listed below, has approval to submit applications to ~~[Insert Municipality, County, State]~~ or any governmental or quasi-governmental division, bureau, department, board, council, commission, subdivision or similar entity thereof, or any private utility provider for rezoning, site plan, subdivision plat, and other necessary development related approvals and permits.



Signature of Property Owner

FRANCIS - CAPPS - PALMER, AS GP
CAPPS FAMILY PARTNERS, LTD.

Printed Name of Property Owner

14.35 Acres Acacia GATEWAY DR.

Address of Property

63-1179049

Tax Identification #

10/23/25

Date

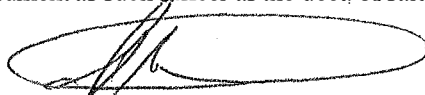
STATE OF AL)

LEE COUNTY) SS.

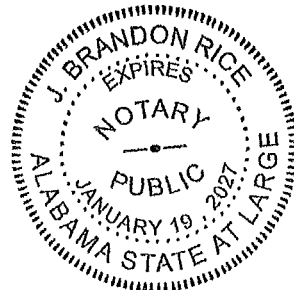
Personally came before me this 23rd day of OCTOBER, 2025 the above named FRANCIS CAPPS - PALMER of CAPPS FAMILY PARTNERS, LTD(n) ALABAMA limited liability company to me known to be such officer and acknowledge that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

PARTNERSHIP





Notary Public, State of AL
My Commission Expires: 1/19/27



City of Opelika
Planning Commission
Planning Department Report

DRAFT2

Meeting Date: February 24, 2026

Agenda Item #: B-3

Action Requested: Conditional Use – Multi-Family Residential (Apartments)

Location of Property: Gateway Drive and Society Hill Road

Property Owner(s): Capps Family Partners, LTD
Mark McLaughlin, Continental Properties, authorized applicant

Current Land Use: Residential and Undeveloped

Current Zoning: C-2, GC-P and R-1 – (Pending rezoning request to C-2, GC-P)

**Surrounding Zoning Districts
And Land Uses:**

North	PUD and C-2, GC-P	Undeveloped
South	R-1 and C-3, GC-P	Residential and Undeveloped
East	R-1, C-2, PUD, GC-P	Residential and Commercial
West	PUD, GC-P	Restaurant and Hotel

Proposal

The applicant is requesting conditional use approval for a 252-unit apartment development on approximately 16.35 acres. The development consists of 21 studio units, 105 one-bedroom units, 105 two-bedroom units, and 21 three-bedroom units. The unit mix is 399 bedrooms. The buildings are primarily three-story buildings with the clubhouse building being one story. The development includes a clubhouse building, fitness center, car care center, pet playground, storage lockers, grilling area, and swimming pool. The development will take access from Gateway Drive.

In a C-2, GC zone, a maximum of 16 dwelling units are allowed. The proposed density is 15.41 units per acre. Most of the surrounding properties are zoned PUD, C-2, C-3, and R-1. The density allowed in C-2 and C-3 is 16 units per acre. The townhome style apartment development Creekside Cottages to the east has 304 units and a density of 11.9 units per acre. The apartment development called The Landing to the east has 265 units and a density of just over 9.8 dwelling units per acre. The property to the west is a commercial multi-tenant entertainment development. The properties to the south are a vacant commercial zone and residential at this time.

The site plan shows 8 buildings on the 16-acre parcel. The minimum off-street parking requirements are 501 parking spaces required; 451 spaces are provided. The Zoning Board of Adjustments met on February 10, 2026, and granted a variance to provide 1.75 parking spaces per unit or 53 fewer parking spaces. This request was considered due to the number of 1-bedroom and studio units, which comprise 50% of the units. The property meets the maximum 70% impervious surface ratio allowed.

The ISR, once divided from the pond on a separate lot, is 68%. If the pond, were retained as the site plan shows, the ISR is 57%, which is detention for the overall development.

The elevations are attached. The exterior wall materials meet the Gateway Corridor requirements. The buildings. The dumpsters or trash containers are shown. These containers need to be enclosed and screened with corridor approved materials and landscaping. These will need to be coordinated with Opelika Environmental Services.

The applicant has not provided a landscape plan. The applicant has confirmed that a landscape plan is in progress now. The site plan does provide a 15' landscape buffer surrounding the apartment parcel. The site requires 1445 base points and 451 parking lot points (1 per space). It is important that the development either provides planted or undisturbed buffers and other means of transitioning between these properties, or the overall density should be lowered. This may need to be supplemented to create a dense screen. The frontage along Gateway Drive will be required to meet the Gateway Corridor landscaping requirements.

The lighting plan must comply with the lighting requirements of Section 7.6, A. 6a. All HVAC, meters, and other mechanical equipment must be screened from the corridor. The applicant may want to consider speed tables or raised pedestrian crossings along the primary drive through the development to reduce speed and create safer crossings.

Apartments are a use supported by the Future Land Use Plan. The density is higher than in some of the adjacent developments, but this is one of the most heavily traveled areas of the city. This location should support some of the most dense properties. This will support the adjacent commercial and the Tiger Town shopping center. The density of this property is allowed in the C-2, GC-P zones, and does provide 15' wide, landscape buffers.

Staff recommend approval subject to approval of the rezoning by the Opelika City Council and the following:

1. Provide a landscape plan showing the site meeting the requirements of the landscape ordinance.
2. Note the materials proposed for the units. All four sides of the development shall meet the Gateway Corridor cladding requirements.
3. Enclose the dumpsters on all sides with corridor approved materials and landscaping, so the dumpsters are not visible from the street. This must be coordinated with Opelika Environmental Services.
4. All HVAC, meters, and other mechanical systems shall be screened from the street.
5. Any commercial uses on the out lots will need to be approved through the zoning based on Table 7.3 Permitted Use table.
6. The multi-use path that stops at the roundabout shall extend along Gateway Drive to the extent of this property.
7. Internal sidewalks shall connect to the public sidewalk.

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 right turn lane on Gateway Drive are approved as shown in the site plan. A left turn lane will need to be restriped into the existing pavement to accommodate the left turn in movement. A shared use path shall be installed on Gateway Drive on the frontage of this property on the road. The secondary drive will have this path cross the entrance of this development as well.

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

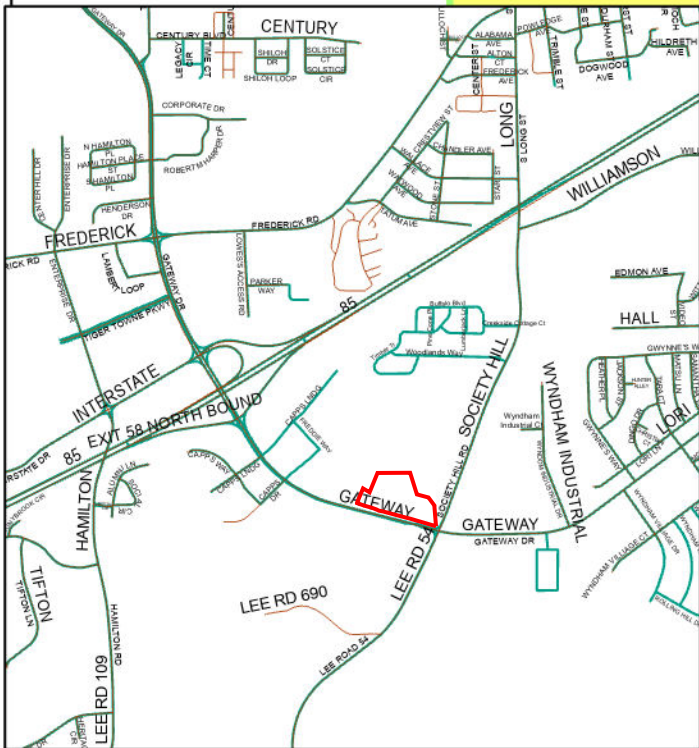
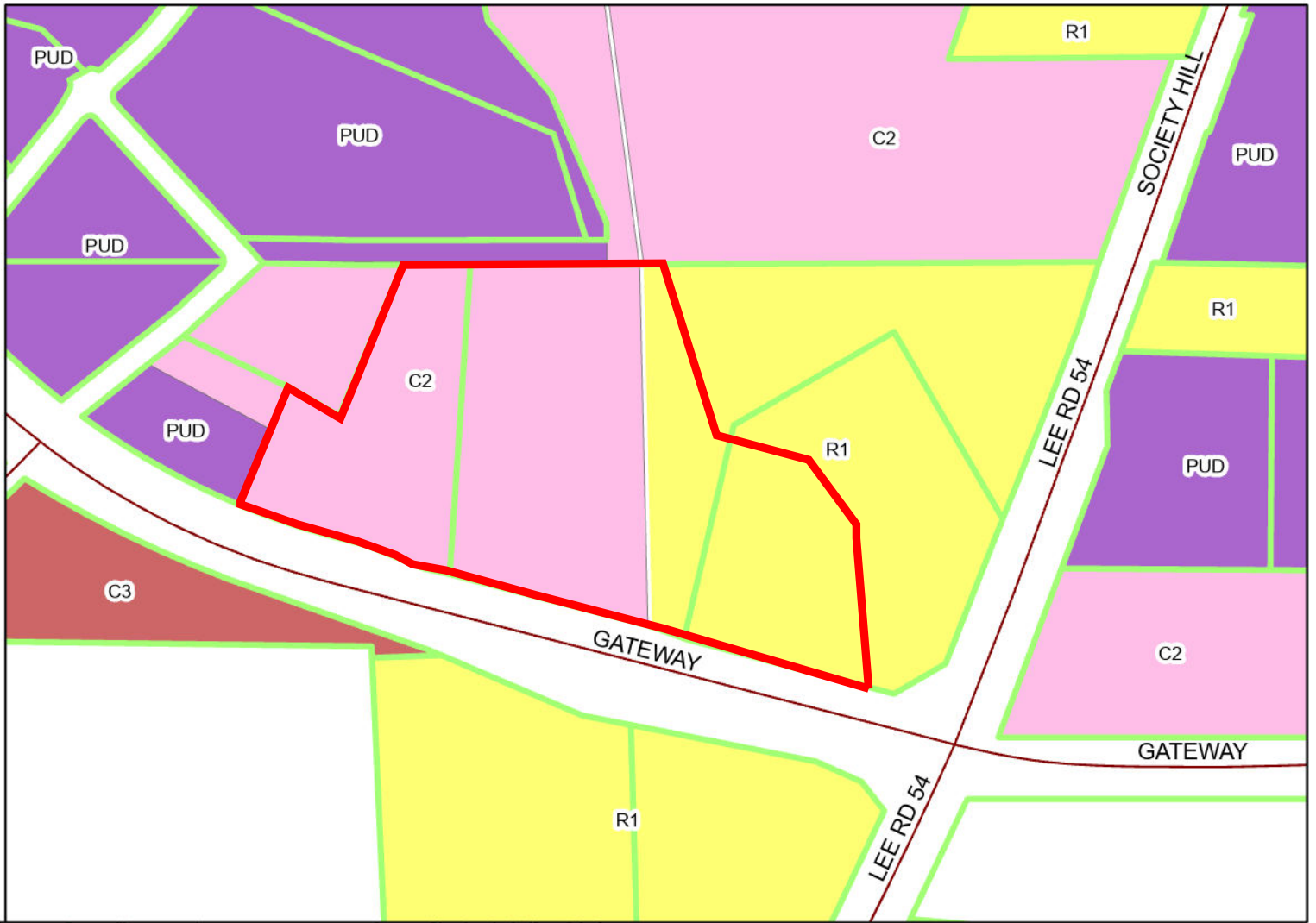
Opelika Utilities Board Report

Water service is available from 16" main on the south side of Gateway Dr.

Opelika Power Services Report

This is outside of the Opelika Power service territory.

**SPRINGS AT OPELIKA DEVELOPMENT
3310 SOCIETY HILL ROAD
REZONING, CONDITIONAL USE, & PRELIMINARY PLAT
B2A & B2B, B-3, and B-4**



The applicant is requesting approval for a commercial and residential development on 16.3 acres consisting of 252 apartment units and four commercial lots. Preliminary plat approval is also requested.



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

Springs at Opelika

4 commercial outlets 252 residential units

OUTLOT 1
1.25 ACRES ±

OUTLOT 2
1 ACRES ±

OUTLOT 3
1 ACRES ±

OUTLOT 4
1 ACRES ±

PROPERTY
16.35 ACRES ±

DETENTION
2 ACRES ±

ESTIMATED STORM, SANITARY & WATER PIPE QUANTITIES

PIPE TYPE	PIPE SIZE	PIPE QUANTITY
STORM - RCP	18"	3,038 LF
STORM - RCP	24"	789 LF
STORM - RCP	30"	52 LF
SEWER - PVC	8" MAIN	1,516 LF
SEWER - PVC	6" LATERAL	668 LF
WATER - C900 PVC	8" MAIN	2,442 LF
WATER - C900 PVC	6" FOR HYDRANTS	141 LF
WATER - C900 PVC	4" SERVICE LINES	601 LF

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

GATEWAY DRIVE

SOCIETY HILL ROAD

50' ROW

50' ROW

15' LANDSCAPE SETBACK
25' BUILDING SETBACK

15' LANDSCAPE SETBACK
25' BUILDING SETBACK

25' BUILDING SETBACK
15' LANDSCAPE SETBACK

15' LANDSCAPE SETBACK
25' BUILDING SETBACK

G11

G11

PET PLAYGROUND
TYPE A

10 SPACES

10 SPACES

12 SPACES

12 SPACES

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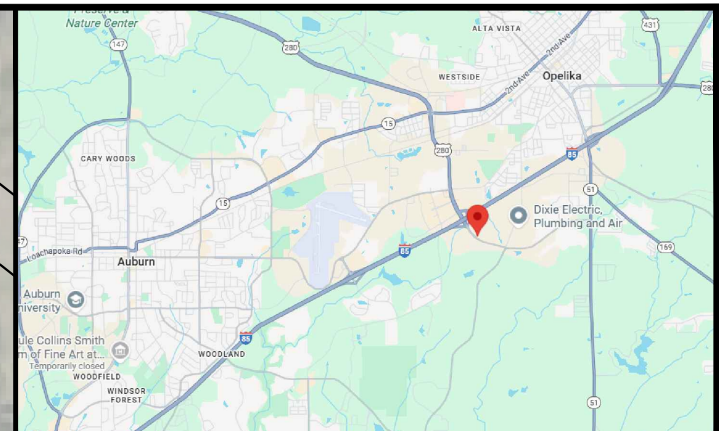
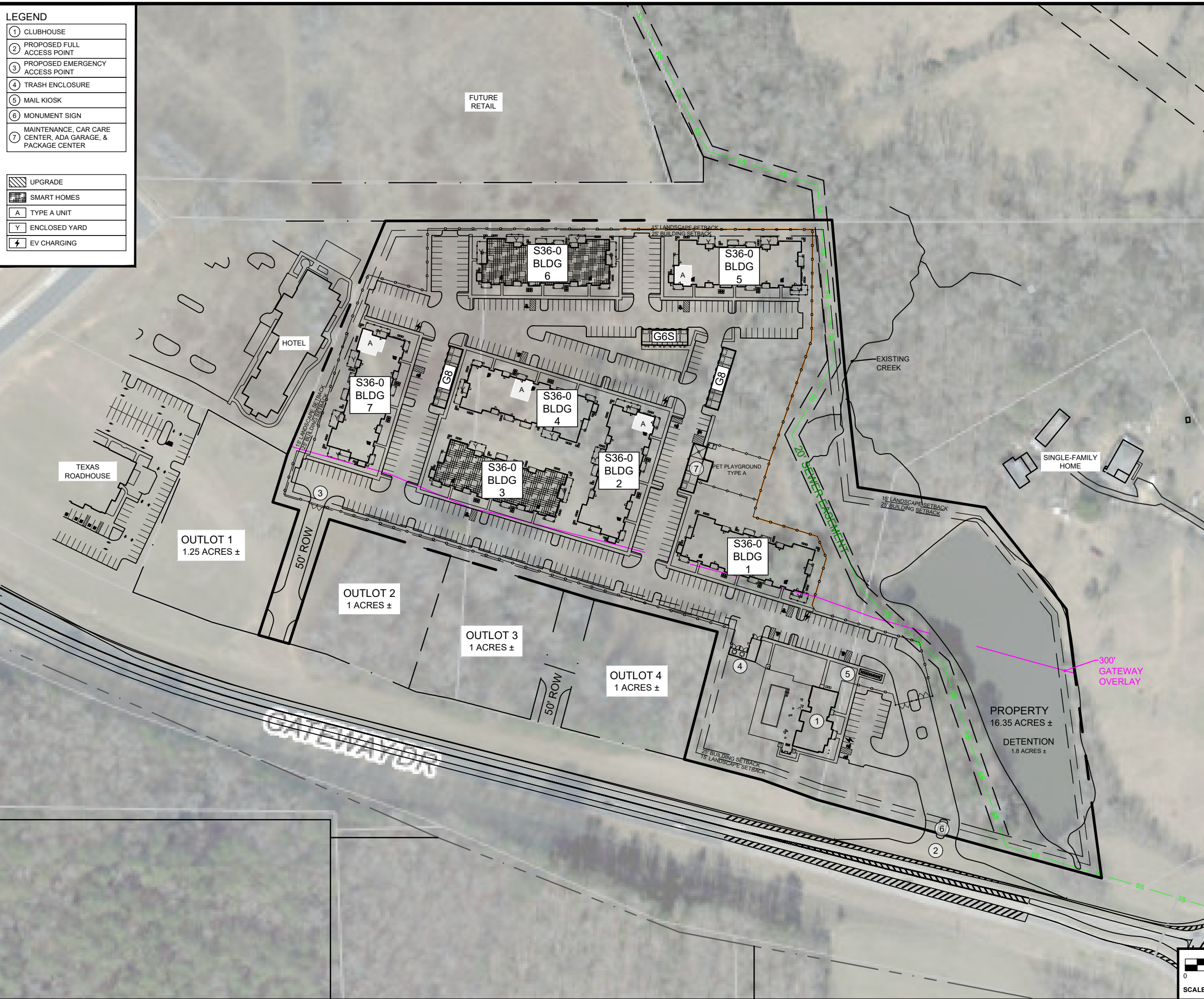
12 SPACES

Thursday, January 8, 2026 3:44:08 PM
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 C:\Users\arrows\Documents\Continental Properties\CAD - Documents\Wabam\Opelika\Gateway Dr. Capps Dr. NE\dwg\CP - d1-2.dwg

LEGEND

- 1 CLUBHOUSE
- 2 PROPOSED FULL ACCESS POINT
- 3 PROPOSED EMERGENCY ACCESS POINT
- 4 TRASH ENCLOSURE
- 5 MAIL KIOSK
- 6 MONUMENT SIGN
- 7 MAINTENANCE, CAR CARE CENTER, ADA GARAGE, & PACKAGE CENTER

- UPGRADE
- SMART HOMES
- A TYPE A UNIT
- Y ENCLOSED YARD
- EV CHARGING



VICINITY MAP
SCALE: NTS

CONTINENTAL PROPERTIES
 W134 N8675 EXECUTIVE PARKWAY
 MENOMONEE FALLS, WI 53051
 262.502.5500 * FAX 262.502.5522
 ON BEHALF OF
 CONTINENTAL 979 FUND LLC

SITE INFORMATION	
MULTIFAMILY AREA	16.35 ACRES
TOTAL AREA	16.35 ACRES
DENSITY	15.41 DU/ACRE
BUILDING / LANDSCAPE SETBACKS	NORTH 25'/15' SOUTH 25'/15' EAST 25'/15' WEST 25'/15'

BUILDING INFORMATION		
CLUBHOUSE	SCH-A	(4,263 SF)
RESIDENT BUILDINGS	QUANTITY	HEIGHT
Z36A-0 (36 DU/BUILDING)	7	3-STORY / 43'
TOTAL RESIDENT BUILDINGS	7	
GENERAL HOME MIX	HOMES	PERCENTAGE
STUDIO	21	8%
1-BEDROOM	105	42%
2-BEDROOM	105	42%
3-BEDROOM	21	8%
TOTAL HOMES	252	100%

PARKING INFORMATION	
PARKING	QUANTITY
DETACHED GARAGES	22
G65 (6-BAY WITH STORAGE)	1
G8 (8-BAY)	2
GROUNDS BUILDING (SGB-PL)	1
TOTAL COVERED PARKING	23
SURFACE PARKING	428
TOTAL UNCOVERED PARKING	428
TOTAL PARKING PROVIDED	451
HOME PARKING RATIO	1.79
OVERALL GARAGES/HOME	0.09
COVERED PARKING RATIO	0.05
CLUBHOUSE PARKING	18
ADA PARKING	12
PARKING DIMENSIONS	
STANDARD STALL	9' x 18'
ADA STALL	9' x 18'
DRIVE WIDTH	24'

SITE AMENITIES	
AMENITY	QTY / SF / NOTES
SWIMMING POOL	INCLUDED
FITNESS CENTER	INCLUDED
CAR CARE CENTER	INCLUDED
PET PLAYGROUND TYPE A	6500 SQFT.
ENCLOSED YARDS	18
STORAGE LOCKERS	8
PARCEL PICKUP	INCLUDED
GRILLING AREA	INCLUDED
PROPERTY BOUNDARY	CAD

PROJECT INFORMATION

PROJECT INFORMATION	
PROJECT NAME	SPRINGS AT OPELIKA
OWNER	CONTINENTAL 979 FUND LLC
DESIGNER	Continental Properties

SPRINGS AT OPELIKA
 GATEWAY DR & CAPPS DR | OPELIKA, AL
 CONTINENTAL 979 FUND LLC

SHEET INFORMATION

DEMARC 1
SITE PLAN
 DRAWN DATE: 01/08/2026
 DRAWN BY: AG

SHEET NUMBER

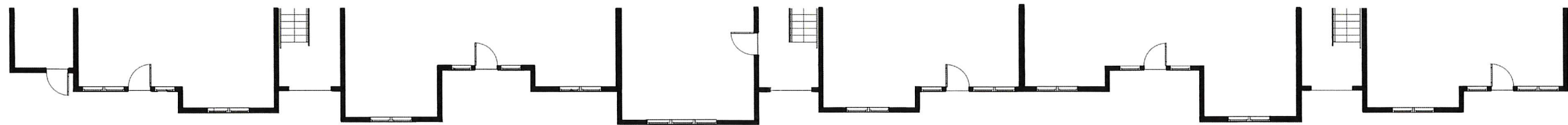
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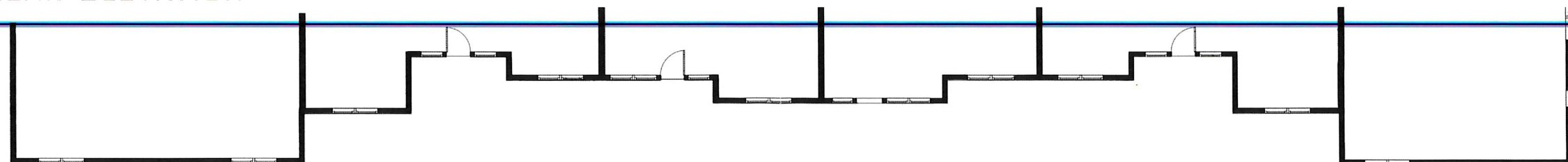
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- Board & Batten 1
- Flat Panel
- Board & Batten 2
- Lap Siding
- Roof
- Common Door
- Doors
- Trim



FRONT ELEVATION



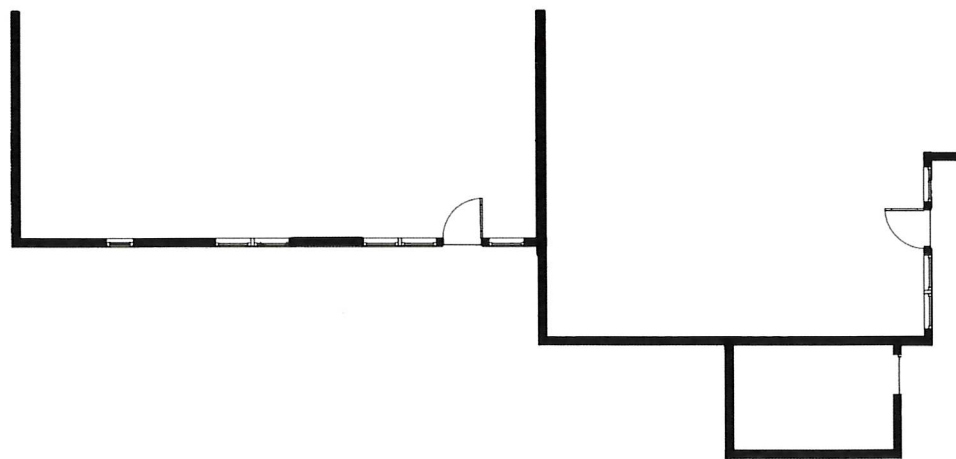
REAR ELEVATION



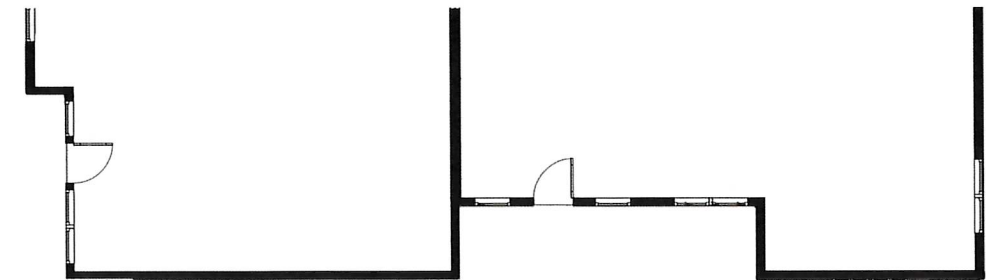
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- Board & Batten 2
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- Common Door
- Doors
- Trim



LEFT ELEVATION



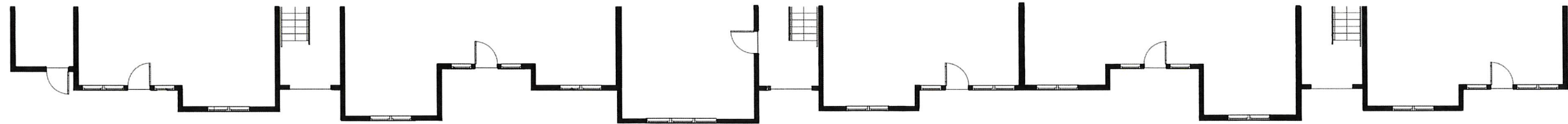
RIGHT ELEVATION



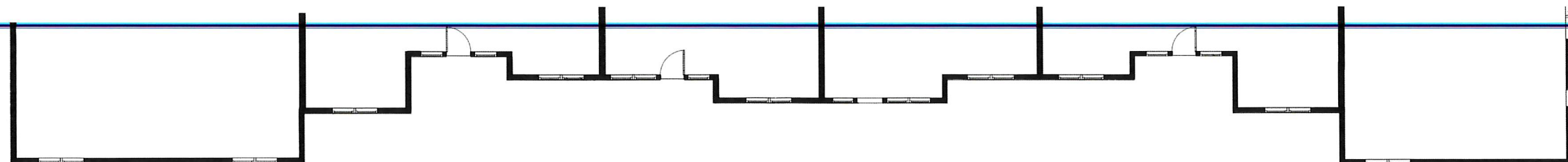
- Flat Panel
- Board & Batten 1
- Flat Panel
- Board & Batten 2
- Lap Siding
- Roof
- Common Door
- Doors
- Trim



FRONT ELEVATION



REAR ELEVATION



- 

Flat Panel
- 

Board & Batten 1
- 

Flat Panel
- 

Board & Batten 2
- 

Roof
- 

Common Door
- 

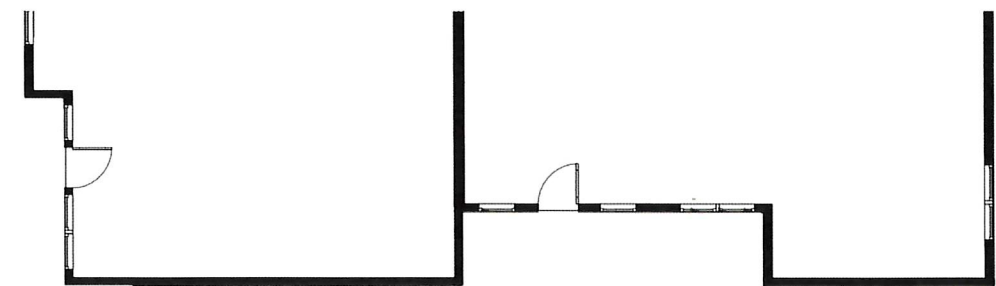
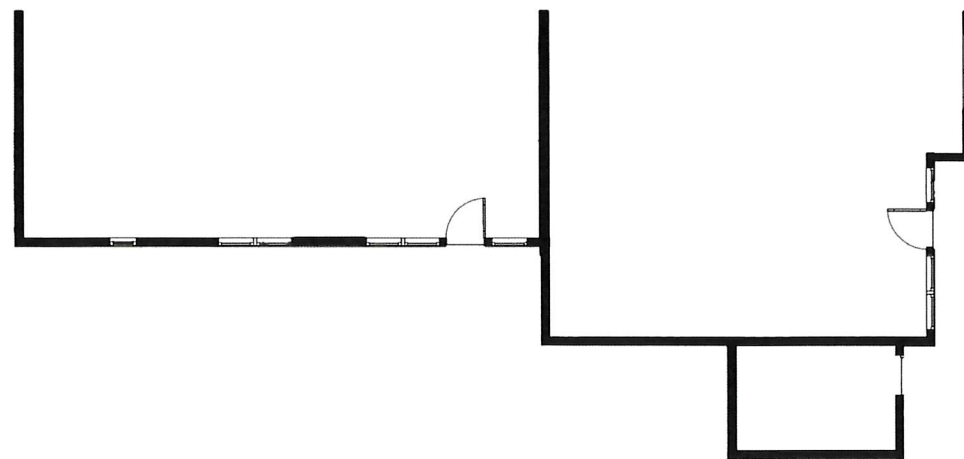
Doors
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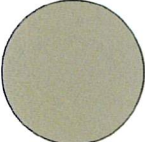
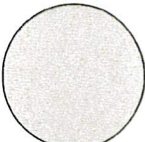
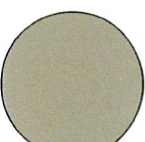
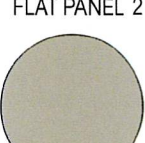
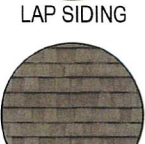
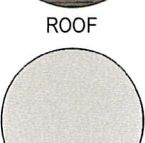
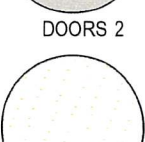
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LEFT ELEVATION

RIGHT ELEVATION

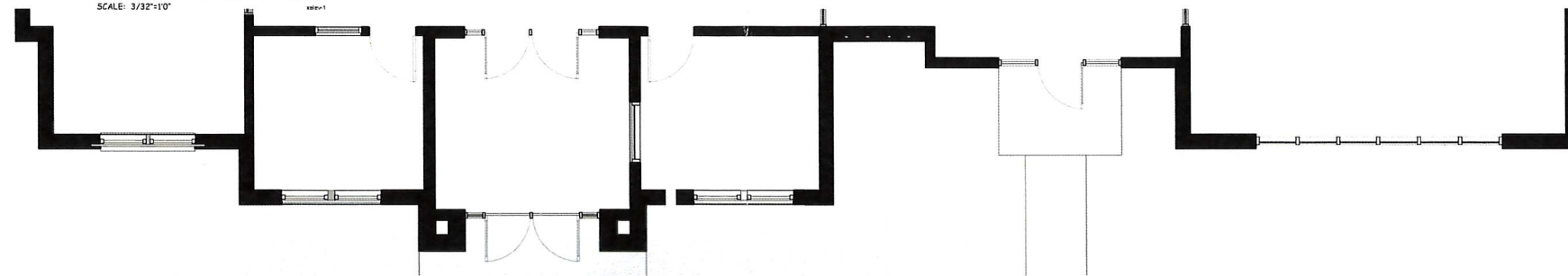


-  BOARD & BATTEN 1
-  BOARD & BATTEN 2
-  FLAT PANEL 1
-  FLAT PANEL 2
-  LAP SIDING
-  ROOF
-  DOORS 2
-  TRIM



Front Elevation

SCALE: 3/32"=1'0"



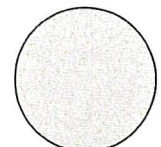
Right Elevation

SCALE: 3/32"=1'0"

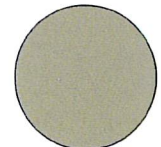


CLUBHOUSE

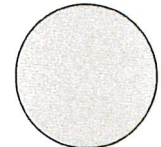
4340 SQ. FT



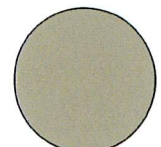
BOARD & BATTEN 1



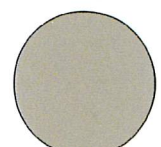
BOARD & BATTEN 2



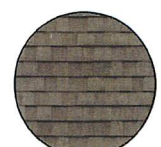
FLAT PANEL 1



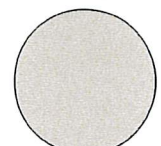
FLAT PANEL 2



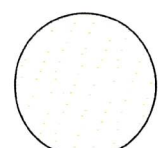
LAP SIDING



ROOF



DOORS 2

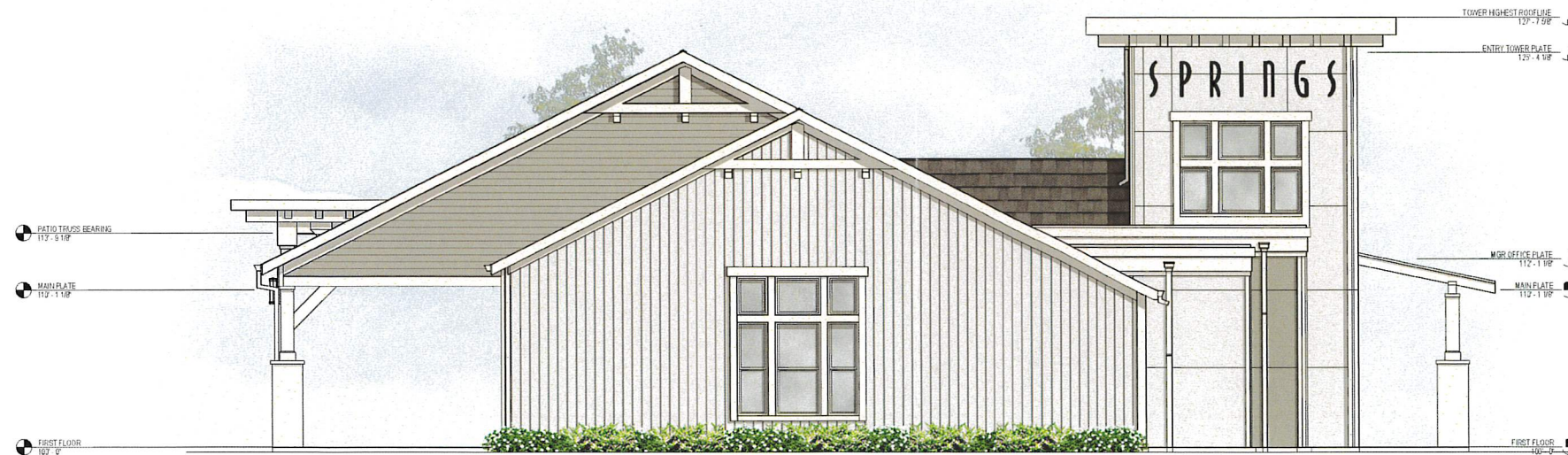
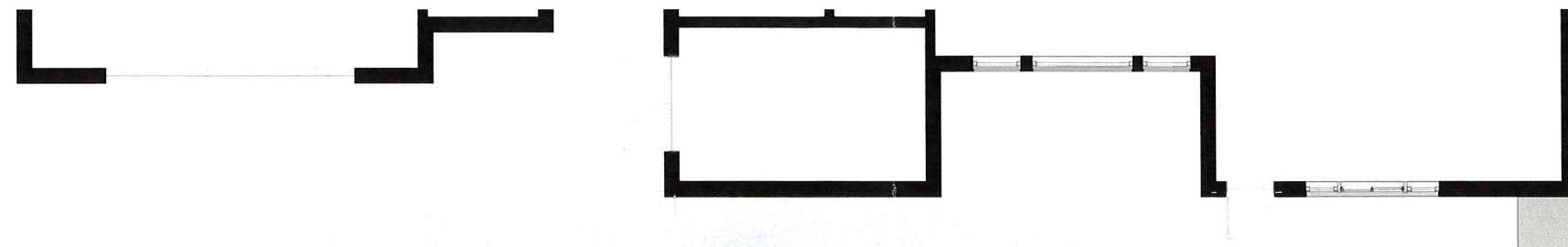


TRIM



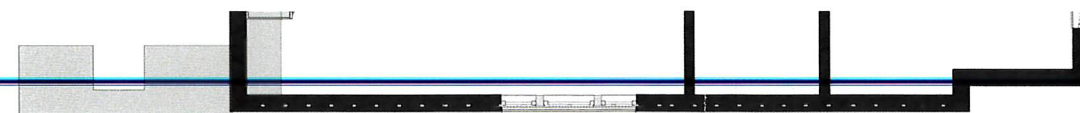
Rear Elevation

SCALE: 3/32"=1'0" REV: 1



Left Elevation

SCALE: 3/32"=1'0" REV: 1



CLUBHOUSE

4340 SQ FT



Agenda Item

B-4

Preliminary Plat

Springs at Opelika SD

(Public Hearing)



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



DEADLINE: _____ MEETING: February 24, 2026

SITE ADDRESS: XXX Gateway Dr

PROPERTY OWNER: Capps Family Partners, LTD

APPLICANT/AUTHORIZED REPRESENTATIVE: Marc McLaughlin

MAILING ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

EMAIL ADDRESS: _____

TYPE OF PLAT APPROVAL REQUESTED

SKETCH PLAN ADMINISTRATIVE PRELIMINARY FINAL

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

Annexation Rezoning Other Variance and Conditional Use

PARCEL INFORMATION

Subdivision Name: C979 Subdivision -SPRINGS AT OPELIKA SD

Current Land Use: Vacant

Current Zoning: R1 and C2

Proposed use of the Subdivision: 4 commercial outlots, 252 multi-family homes, 1 stormwater outlot

Residential Commercial
 Manufacturing/Industrial Office/Institutional

Number of Lots: 6 x \$3.00 = \$ 18
Number of APO: 4 x \$7.00 = \$ 28
(Adjacent Property Owners)
Fee: \$75.00
TOTAL = 121
PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) C979 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: Marc McLaughlin

(PRINT NAME) Marc McLaughlin

DATE 1-6-2026

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER SEE ATTACHED

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

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

Property Owner's Signature _____ Date _____

STATE OF ALABAMA
COUNTY OF LEE

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

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

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

Notary Public

My Commission Expires: _____

SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION

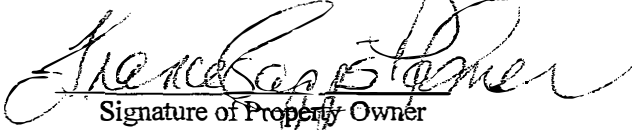
1. Application due 1st Tuesday of each month. (Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 4th Tuesday each month at between 2:00 and 2:45 PM CT before each PC Meeting, start times may vary depending on what must be covered during the Work Session. Times for each session are given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

City of Opelika, Lee County,
State of Alabama

EXHIBIT C

Agent Authorization

Continental Real Estate Holding LLC, and any of its affiliates, as agent for the property owner listed below, has approval to submit applications to ~~[Insert Municipality, County, State]~~ or any governmental or quasi-governmental division, bureau, department, board, council, commission, subdivision or similar entity thereof, or any private utility provider for rezoning, site plan, subdivision plat, and other necessary development related approvals and permits.



Signature of Property Owner

FRANCES - CAPPS - PALMER, AS GP
CAPPS FAMILY PARTNERS, LTD.

Printed Name of Property Owner

10.35 ACRES ROAD GATEWAY DR.

Address of Property

03-1179049

Tax Identification #

10/23/25

Date

STATE OF AL)

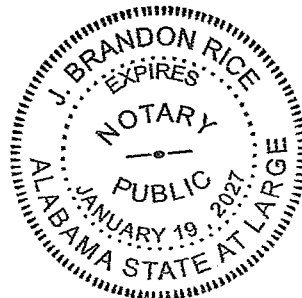
LEE COUNTY) SS.

Personally came before me this 23rd day of OCTOBER, 2025 the above named FRANCES CAPPS - PALMER of CAPPS FAMILY PARTNERS, LTD (n) ALABAMA limited liability company to me known to be such officer and acknowledge that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

FRANCES CAPPS

[Handwritten mark]

Notary Public, State of AL
My Commission Expires: 1/19/27



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

Meeting Date: February 24, 2026

Agenda Item #: B-4

Subdivision: Springs at Opelika Subdivision

Action Requested: Preliminary Approval

Location of Property: Gateway Drive and Society Hill Road

Property Owner(s): Capps Family Partners, LTD
Marc McLaughlin, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-1 and C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	PUD and C-2, GC-P	Undeveloped
South	R-1 and C-3, GC-P	Residential and Undeveloped
East	R-1, C-2, PUD, GC-P	Residential and Commercial
West	PUD, GC-P	Restaurant and Hotel

Proposal

Proposal

The applicant is requesting preliminary plat approval for a 6-lot subdivision on 34.47 acres. On this Planning Commission agenda, a rezoning and conditional use requests for an apartment development on Lot 5 are proposed. Lots 1,2,3, and 4 will be approximately 1-acre lots for use as commercial out parcels. Lot 6 will be 2.61 acres and includes the pond, which will be used for stormwater. Lot 7 will be retained for the current use as a single-family home on 14.11 acres. Lot 7 will take access from the existing drive off Society Hill Road. The remaining lots (1-6) will have access from Gateway Drive. A shared access easement from a future private street shown as a 30' Ingress/Egress Easement across Lots 1-4.

The landscape buffer around the apartment development should be shown on Lot 5. A multi-use path is recommended along Gateway Drive from Lot 1 to the roundabout. The lot sizes meet the minimum

requirements of the R-1 and C-2, GC-P requirements. The rezoning will determine the use of the properties.

Staff recommends preliminary approval subject to the following:

1. All utilities must be underground.
2. Add a note on the final plat about the maintenance responsibility and use of the pond on Lot 6.
3. Sidewalks will be required along Gateway Drive.

Engineering Department Report

Additional turn lanes and a center left turn lane will be required for the development of these lots. This requirement will be restated with the site plans as they are developed. A Shared use path along this side of Gateway Drive will also be required with the development of these lots. Engineering has no other comments or concerns regarding the proposed Preliminary Plat

Opelika Utilities Board Report

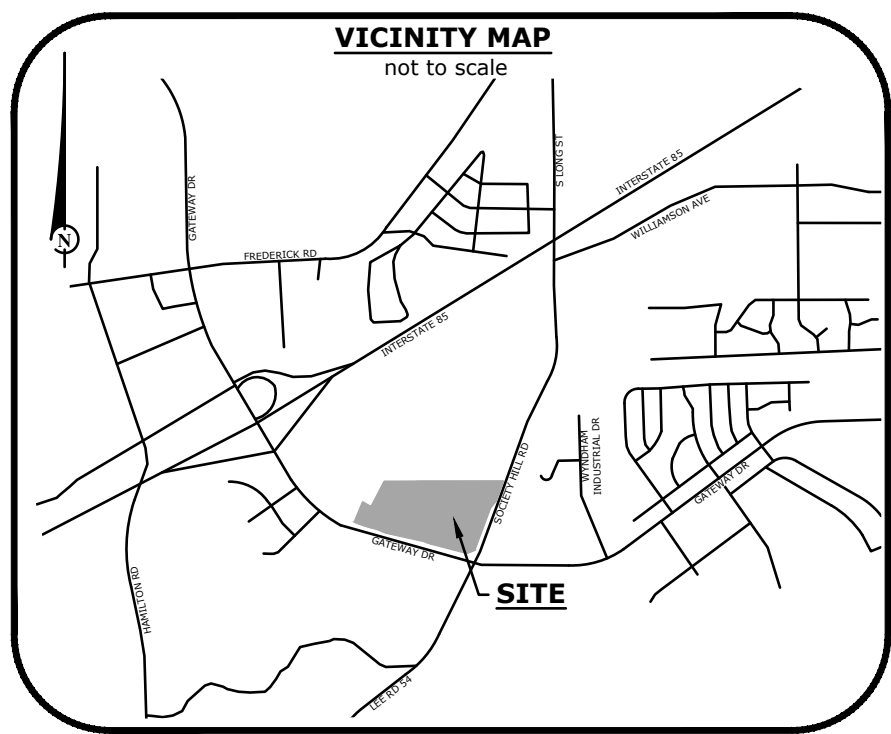
Water service is available from 16" main on the south side of Gateway Dr.

Opelika Power Services Report

This is outside of the Opelika Power service territory.

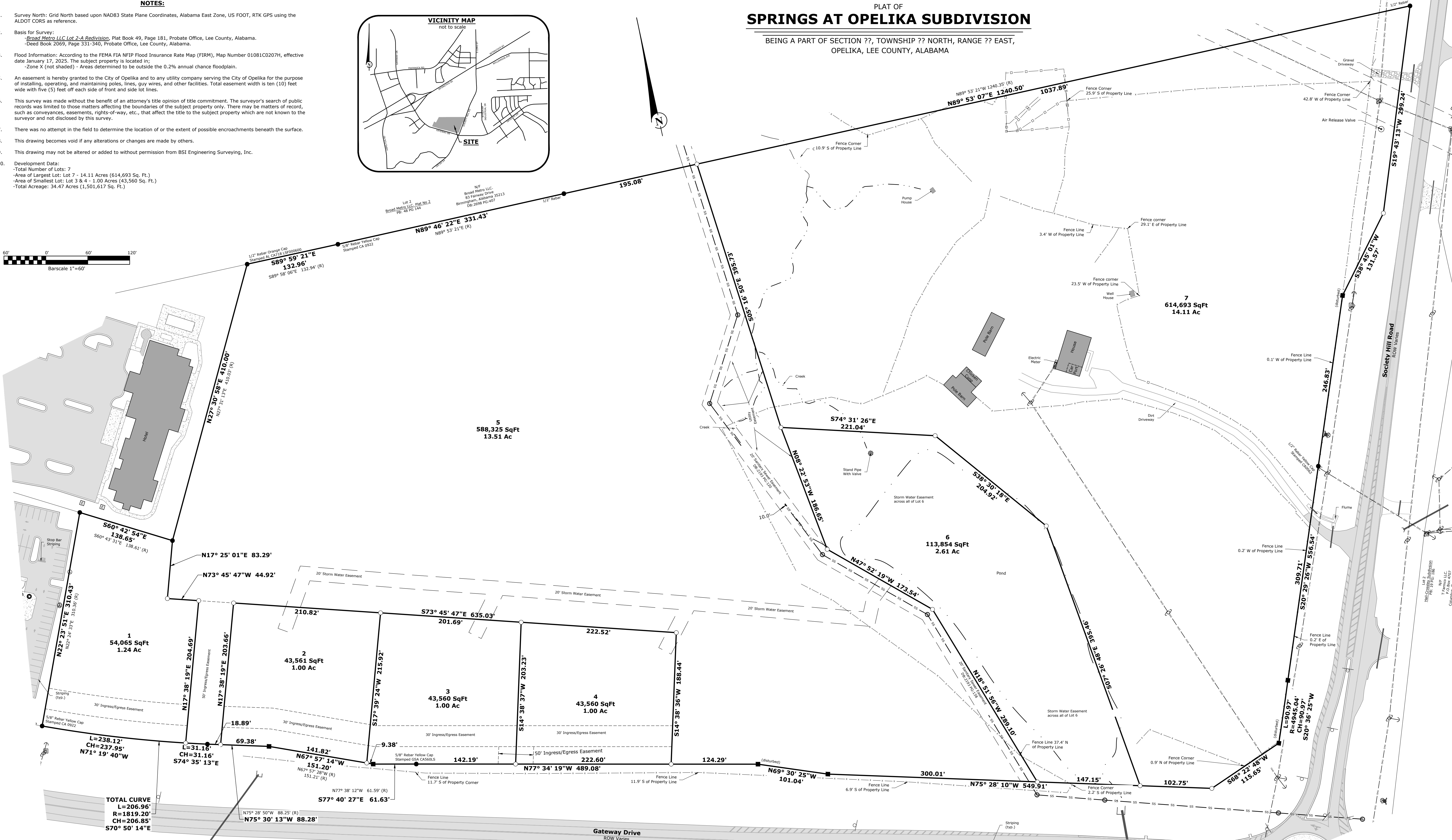
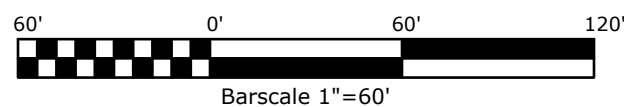
NOTES:

- 1. Survey North: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT CORS as reference.
2. Basis for Survey: -Broad Metro LLC Lot 2-A Redivision, Plat Book 49, Page 181, Probate Office, Lee County, Alabama.
3. Flood Information: According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map Number 01081C0207H, effective date January 17, 2025.
5. An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities.
7. There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
9. This drawing may not be altered or added to without permission from BSI Engineering Surveying, Inc.



PLAT OF SPRINGS AT OPELIKA SUBDIVISION

BEING A PART OF SECTION ??, TOWNSHIP ?? NORTH, RANGE ?? EAST, OPELIKA, LEE COUNTY, ALABAMA



PROJECT NO: 25-0179
FIELD BY: DFV/CAJ
DRAWN BY: JAH
BSI ENGINEERING | SURVEYING
223 S. 9th Street, Opelika, Alabama 36801
334-745-7026

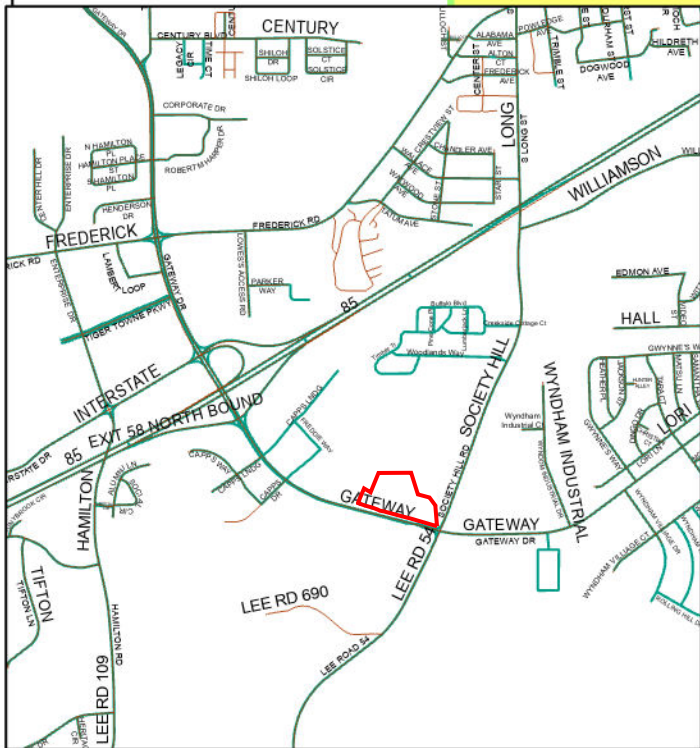
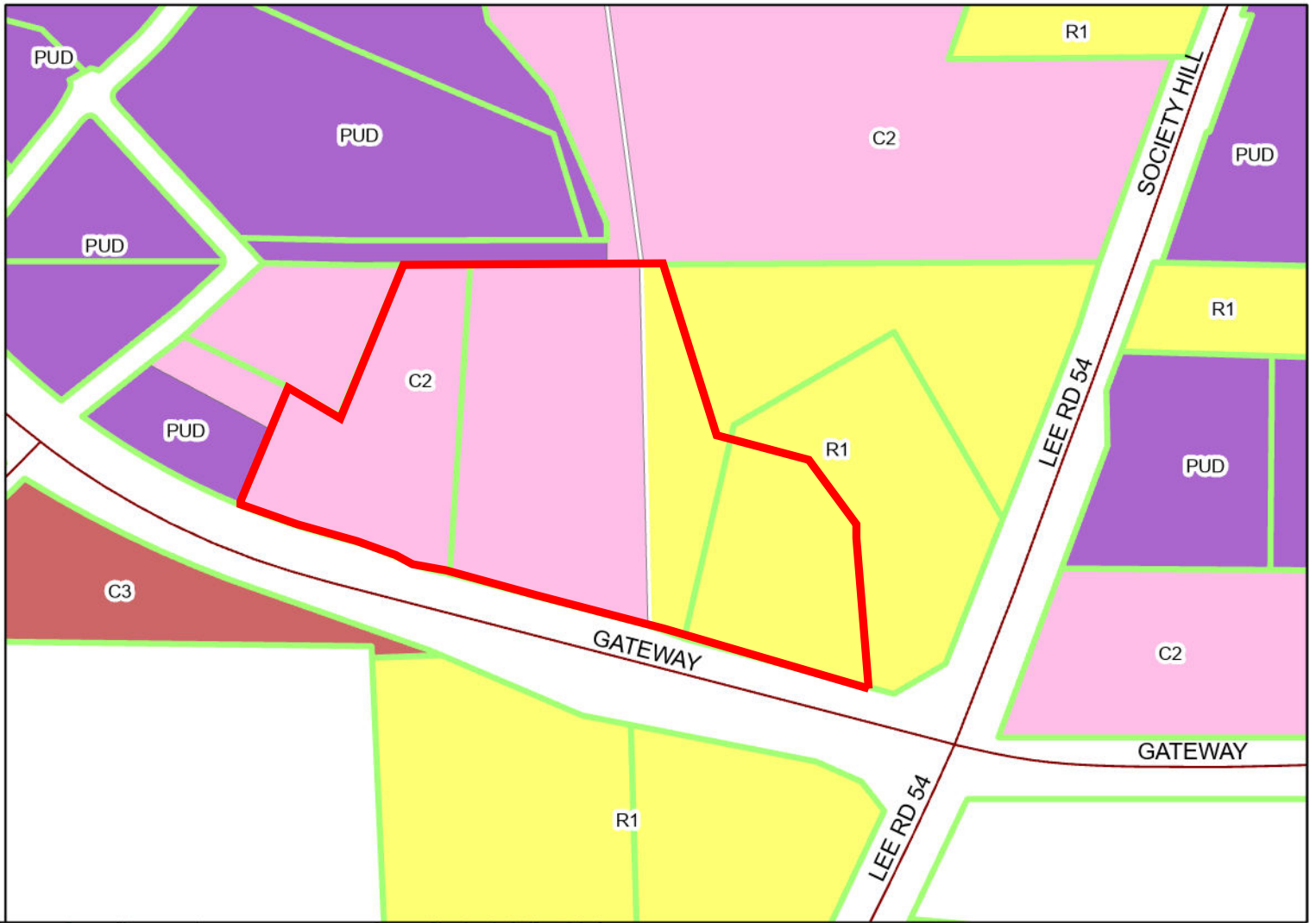
OPELIKA CERTIFICATES
Approved by the Opelika City Planning Commission, Opelika, Alabama:
Accepted by the Opelika Public Works Director, Opelika, Alabama:
Chairman:
Date:
Public Works Director:
Date:
Accepted by the Opelika City Planner, Opelika, Alabama:
Accepted by the Opelika Water Board, Opelika, Alabama:
Planner:
Date:
Opelika Water Board:
Date:
Approved by the Opelika City Engineer, Opelika, Alabama:
Accepted by the Opelika Power Services, Opelika, Alabama:
City Engineer:
Date:
Opelika Power Services:
Date:

DEDICATION
The State of Alabama
Lee County
We, Capps Family Partners, LTD, as owners of the real property shown on this plat hereby join in the statement of Jonathan A. Ham and certify that it is our purpose to subdivide lands so platted into lots as shown.
In witness whereof, I have hereunto set my hand on this the ___ day of ___, 2026.
Frances Capps Palmer, Manager
Capps Family Partners, LTD

ACKNOWLEDGEMENT
The State of Alabama
Lee County
I, _____, a Notary Public, in and for said County in said State, hereby certify that Frances Capps Palmer, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, as such officer and with full authority, executed the same voluntarily on the day the same bears date.
Given under my hand and official seal this the ___ day of ___, 2026.
Notary Public:
My Commission Expires:

PRELIMINARY - For Review Only. Not For Construction, Recording Purposes, or Implementation
Date: 01/22/2026
SURVEYOR CERTIFICATE
I, Jonathan A. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.
Jonathan A. Ham, PLS
Alabama License No. 34761
Date

**SPRINGS AT OPELIKA DEVELOPMENT
3310 SOCIETY HILL ROAD
REZONING, CONDITIONAL USE, & PRELIMINARY PLAT
B2A & B2B, B-3, and B-4**



The applicant is requesting approval for a commercial and residential development on 16.3 acres consisting of 252 apartment units and four commercial lots. Preliminary plat approval is also requested.



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

Agenda Item

C-5

Conditional Use

410 Geneva Street

(Public Hearing)



**APPLICATION FOR
CONDITIONAL USE APPROVAL
PLANNING DEPARTMENT**

**700 FOX TRAIL
OPELIKA, AL 36801**

PC DEADLINE: 01/28/2026 PC MEETING: 02/24/2026

PROJECT NAME: 10th and Geneva Street
SITE ADDRESS: 410 Geneva Street
PROPERTY OWNER: SOUTHSIDE OPELIKA LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Josh Mura, Samford Group, LLC

MAILING ADDRESS: _____

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

EMAIL ADDRESS: _____

PARCEL INFORMATION

Current Land Use: Vacant Current Zoning: C-2

Description of Proposed Use: Mixed Use - Commercial and Residential (4 cottages & 6 loft apartments)

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

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

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

AGENDA ITEM #

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

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

The proposed development is appropriate for the site and surrounding area, as it is located within a C-2 Commercial zoning district, where a mix of commercial, office, residential, and neighborhood-serving uses is anticipated. The project's combination of ground-floor retail/office/restaurant space with residential units above and cottage homes on the site supports the City of Opelika's goals for compact, mixed-use development and efficient land utilization.

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the

The proposed use is not expected to result in any substantial adverse impacts on adjacent properties, neighborhood character, traffic conditions, or public infrastructure. The site is located in a commercial zoning district intended to accommodate developments of this nature, and the overall scale and intensity of the project are consistent with existing development patterns in the area.

3) What precautions will be taken to minimize any adverse affects from the proposed use on

Parking areas are located at the rear of the site and shielded from the roadway, reducing visual impacts and preserving the streetscape. Existing mature trees on the property will be preserved to the greatest extent practicable. All landscaping will be installed in compliance with City of Opelika code requirements

APPLICATION REQUIREMENTS:

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

Fee: \$125.00 PAID _____

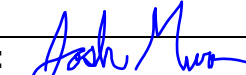
CERTIFICATION

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

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: (PRINT NAME) <u>Josh Mura, Samford Group, LLC</u>	DATE: <u>01/28/2026</u>
---	----------------------------

STATEMENT OF UNDERSTANDING

I, Josh Mura, Samford Group, 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 completed building plans as required for review and approval by the Building Inspections Division and all required documents for all 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) Josh Mura, Samford Group, LLC	01/28/2026

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

Meeting Date: February 24, 2026

Agenda Item #: C-5

Action Requested: Conditional Use – Mixed Use – Apartments and commercial

Location of Property: 454 S. 10th Street (formerly 410 Geneva Street)

Property Owner(s): Southside Opelika, LLC.,
Josh Mura, Samford Group, LLC., authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-S

**Surrounding Zoning Districts
And Land Uses:**

North	C-2, GC-S	Restaurant/Bakery
South	C-2, GC-S	Office
East	C-2, GC-S	Townhome/Single Family
West	C-1, GC-S	Multi-family apartments

Proposal

The applicant is requesting conditional use approval for six (6) apartments and four cottages located above office/retail spaces in a C-2, GC-S zoning district. The property is also located in the Southside/Geneva Historic District. Between Avenue C and Short Avenue on S. 10th Street. The future land use map designates this property as “Mixed Use”. The subject property is approximately 1.22 acres. The C-2 zone allows up to 16 units per acre. The subject property is approximately 8.2 units per acre. The property is located on the edge of the historic district. The properties to the front (The Taylor) and rear are residential in nature. The properties to the north and south are both commercial (office/restaurant) uses.

The proposed development is configured with a single 4,800 square foot building facing S. 10th Street and four small cottages located behind the building and to the rear of the lot. The primary building is listed as two stories with commercial uses on the ground floor and residential above. The residential would consist of six (6) 1-bedroom units. The four cottages are approximately 800 square feet and arranged around a small circular pad. No uses have been designated for the commercial space, but a variety of office, retail, and entertainment uses would be allowed by right at this location.

The front mixed-use building is located at 15 feet from the right-of-way. The required setback for the C-2, GC-S is 25 feet. Looking at the adjacent properties they sit approximately 5-15 feet from the right-of-

way. Due to the historic preservation requirements, staff supports the lesser setback and would support a variance for the property. This still provides adequate space for sidewalks, landscaping and utilities.

Parking is located on the interior of the block between the mixed-use building and the cottages. Under the current standards, this development would be required to have 2 spaces per unit. This would require twenty (20) off-street parking spaces. The office/commercial space would require 12-15 parking spaces. The size of the residential units would likely only generate 1-1.5 vehicles per unit. Uses that would not generally be occupied at the same time are allowed to share parking. The proposed parking lot with 30 parking spaces should be more than sufficient for the mix of uses proposed.

The applicant has provided a landscape plan that meets the general criteria of the ordinance. They have arranged the building to save up to 10 hardwood trees 18-48 inches. The site would be required to have 140 base points and 30 parking lot points. The tree preservation credits alone would provide 105 points. They have shown 235 points being added. In this case, the design of the building and historic preservation regulations should take precedent over the general landscaping requirements. They are required to have a buffer along S. 10th Street. This should be approached to add landscaping between the public sidewalk and the sidewalk shown in the elevations in front of the store front or in integrated tree wells within the storefront sidewalk. Additionally, landscaping will need to screen parking areas and detention should it not be a gently sloping grassed area that blends into the yard.

The buildings meet the general requirements of the Gateway Corridor overlay. All decisions regarding materials, design and layout should largely be deferred to the Historic Preservation Commission which has much stronger and detailed requirements. The building height, architectural features, windows, and sidewalks will have to comply with the design of the structure and the historic requirements.

The location is on a well traveled road with commercial and multi-family directly adjacent. The mixed-use design fits in well with the surrounding uses.

Recommendation

Staff recommends conditional use approval subject to the following conditions:

- 1. A variance will be required to allow the building to sit in line with the adjacent structures.**
- 2. All service utilities, mechanical and similar units shall be screened from view.**
- 3. All buildings, landscaping and site requirements must comply with Historic Preservation Commission standards and approvals.**

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.

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

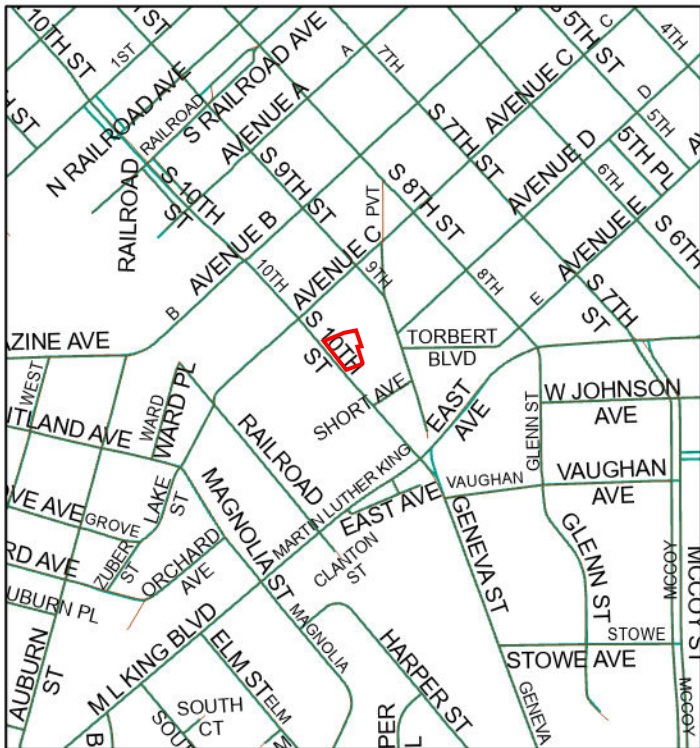
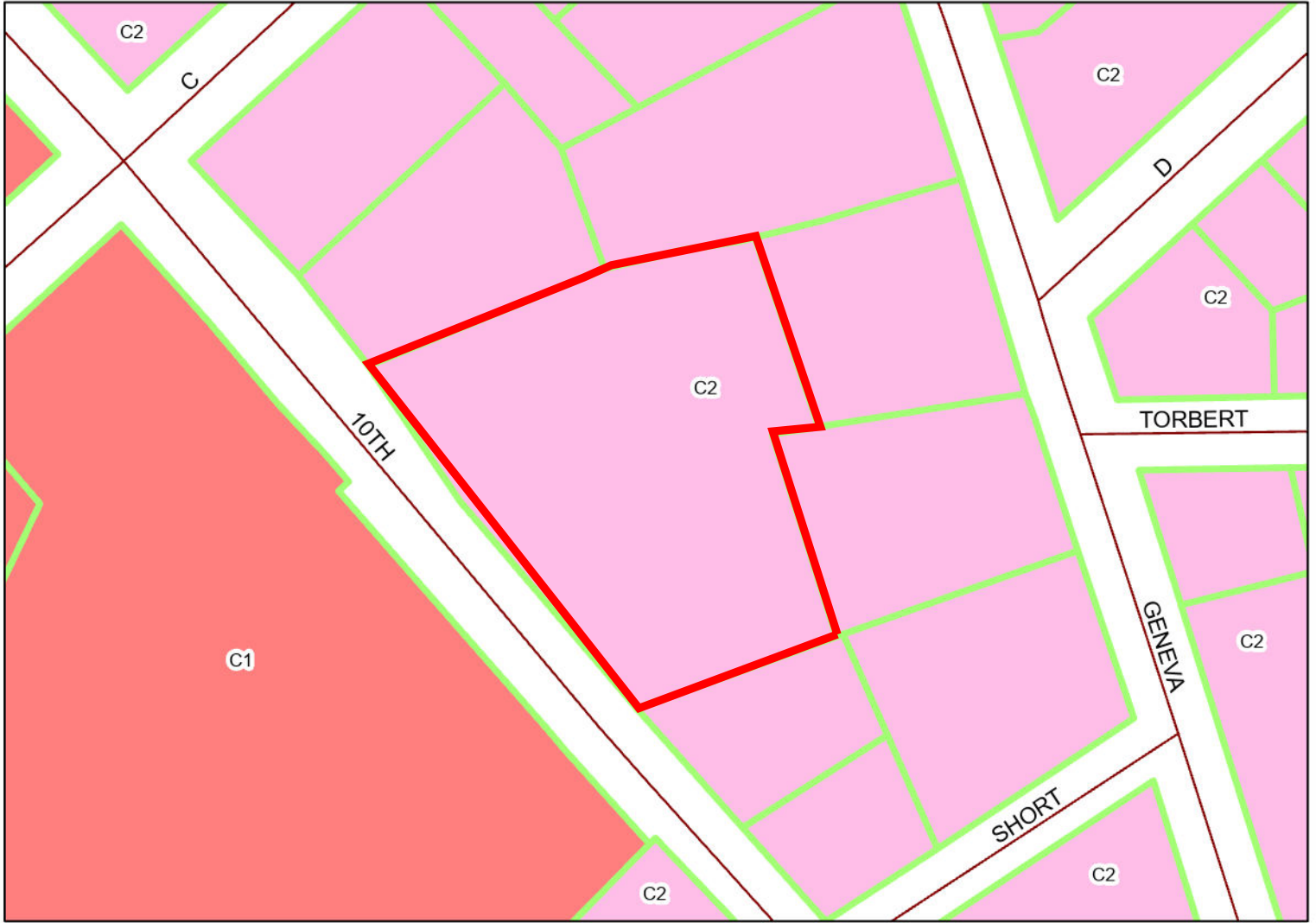
Opelika Utilities Board Report

Water service is available from 8" water main on eastern side of 10th St.

Opelika Power Services Report

This is in the Opelika Power service territory.

10TH AND GENEVA STREET COTTAGES & APARTMENTS 410 GENEVA STREET CONDITIONAL USE, C-5



The applicant is requesting approval for four 20x40 cottages and six loft apartments on 1.12 acres in a C-2, GC-S zoning district.



Subject Property

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SITE INFORMATION:

SITE AREA	
TOTAL OVERALL SITE AREA:	122 AC.
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF OPELIKA
ZONING:	C-2
ADJ. ZONING:	C-2
SETBACKS:	
PROP. FRONT SETBACK:	15 FT.
PROP. REAR SETBACK:	20 FT.
SIDE SETBACK:	10 FT.
UNITS:	
COTTAGES (20'X40')	4 UNITS
LOFT APARTMENTS	6 UNITS
PARKING:	
PROPOSED PARKING	30 SPACES

PAVEMENT LEGEND

	CONCRETE PAVEMENT
	GRAVEL

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

REV.	DATE	DESCRIPTION

PROJECT
10TH AND GENEVA STREET
 410 GENEVA STREET
 CITY OF OPELIKA, AL

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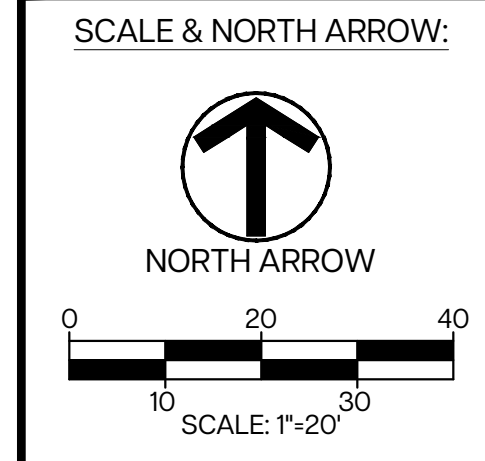
SEAL:

PRELIMINARY
 NOT APPROVED FOR CONSTRUCTION



DESIGN TEAM:

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



JOB NUMBER: --
 DATE: 1/29/2026

SHEET TITLE:
 CONDITIONAL USE
 SITE PLAN







GRAPHITE
SHERWIN
WILLIAMS

Agenda Item

C-6

Conditional Use

85 Veterans Parkway

(Public Hearing)

000364-2023



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



PC DEADLINE: 11/7/2023 PC MEETING: 11/20/2023

SITE ADDRESS: 1501 Speedway Drive Opelika

PROPERTY OWNER: Tim Murphy

APPLICANT/ AUTHORIZED REPRESENTATIVE: Tim Murphy

MAILING ADDRESS: [REDACTED]

PHONE NUMBER: [REDACTED] FAX NUMBER: _____

EMAIL ADDRESS: [REDACTED]

PARCEL INFORMATION

Project name: Veterans Office District Address/Location: 1501 Speedway Dr. Opelika AL

Current Land Use: Vacant - No use Current Zoning: C2/C3

Adjacent Zoning Districts: North: R5M South: C3 East: C3/R5M West: C2

Description of Proposed Use: Commercial Multi-Tenant Office/Warehouse development

Request to rezone parcel 0905153000007001 To C3, vacate Speedway Dr. right-of-way as indicated, and conditional use for office/warehouse development.

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, _____, being owner of the property which is the subject of this conditional use application hereby authorize Tim Murphy 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: _____

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

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

1) How is the proposed use appropriate in the location for which it is proposed? This corridor of roadway is and supports business use. The location is already adjacent to an active retail shopping mall. The roadway already also has existing business uses if similar capacity.

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

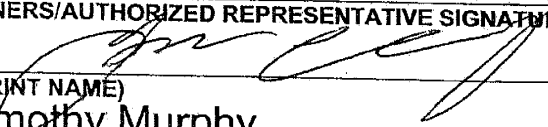
3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? There will be lease and property management contracts in place to control use of the site and limit tenants abilities. The structures will be designed to appeal to the surrounding areas.

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** _____

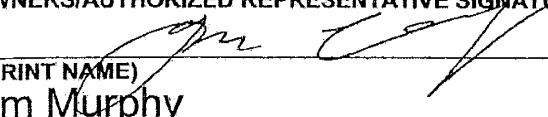
CERTIFICATION

I, Tim Murphy, 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: 11/7/23
(PRINT NAME) Timothy Murphy	

STATEMENT OF UNDERSTANDING

I, Tim Murphy (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: 11/7/23
(PRINT NAME) Tim Murphy	

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

Meeting Date: February 24, 2026

Agenda Item #: C-6

Action Requested: Conditional Use – Office of Contractor without Outside Storage of material & equipment (Previous CU approval Expired)

Location of Property: 85 Veterans Parkway

Property Owner(s): VOPD, LLC
Lee Tharp, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-3, GC-P (general commercial, gateway corridor overlay)

Surrounding Zoning Districts

And Land Uses:	North	C-2, GC-P	Undeveloped
	South	C-3, GC-P	Undeveloped
	East	C-3/C-3, GC-P	Mobile home lots & Undeveloped
	West	C-2, GC-P	Undeveloped

This conditional use was approved at the September 2023 Planning Commission meeting. The conditional use expired in September 2024 because a building permit was not obtained within one year of the conditional use approval as required in the Zoning Ordinance. At the September 2023 meeting, a rezoning of the same property and a vacation of Speedway Drive was also requested. At the September 2023 meeting, the Planning Commission sent a positive recommendation to City Council to approve the rezoning and vacate Speedway Drive. The City Council approved the rezoning and vacated Speedway Drive; the property is now zoned C-3, GC-P and Speedway Drive is vacated as shown on the site plan below.

For the February 24th PC meeting, the site plan and landscape plan has not changed from the approved September 2023 site plan and landscape plan. The Feb 2026 PC staff report below and the conditions for approval on last page are the same as the September 2023 staff report. ~~Strike-throughs~~ are deletions in report as needed.

Proposal:

The applicant is requesting conditional use approval for a contractor’s office & warehouse development with no outside storage of materials and equipment. The size of tenant space will vary for some tenants depending on the business’s activities and needs. The applicant estimated that 9 to 14 tenant spaces will be

leased. The applicant will modify tenant space to suit the business's needs. For example, a tenant may need warehouse space only (no office space) for equipment and/or storage of material for jobs. Another tenant may need a showroom as part of tenant space to display products for customers by appointment. The larger building that faces Veterans Parkway will have store front windows to assist in marketing products. There will be no outside storage or outside product displays allowed for tenants or property owner. All materials and equipment will be inside the tenant's warehouse and/or office space.

The site plan shows two buildings (9,500 sf and 28,000 sf) that will be divided into 9 to 14 warehouse tenant spaces. Office space is optional. Access to the two buildings is from Randall Drive only. Private asphalted driveways will circle the two buildings to access the roll-up doors on the rear wall and access to the front door of each tenant space. The site plan shows 13 parking spaces for the 9,500 sf building and 38 parking spaces for the 28,000 sf building. For some tenants, warehouse space can be used for employee parking or to secure company vehicles left on premises overnight.

The applicant submitted a conceptual landscape plan. A more detailed plan with base points, parking lot points, and buffer requirements is required. ~~if City Council approves the rezoning request and vacation of right-of-way (Speedway Drive).~~ Landscape requirements are according to Section 7.6 Gateway Corridor Overlay District in the Zoning Ordinance ¹. The plan shows buffers along Veterans Parkway as required and a buffer along the perimeter lot lines on all sides. The buffers must meet the buffer requirements as provided in the Landscape regulations for development in the Gateway Corridor Overlay zone. It appears from landscape plan that the development meets the maximum 70% impervious surface ratio (ISR) allowed; The landscape plan must also provide the development's ISR.

The exterior wall materials for the 28,000 sf building are a minimum of 3 foot high brick apron on the front and side walls and 100% Hardie plank on the rear exterior wall; the rear wall with roll-up garage doors face the rear wall of the Saugahatchee Square shopping center. On the 9,500 sf building the 3 foot brick apron and Hardie plank are on all four sides of the building.

-
- a. ¹ In addition to requirements set forth in Section X, Landscape Regulations of the Opelika Zoning Ordinance, the following buffer and landscape requirements apply. Off street parking lots, fronting on the public right-of-way of a designated gateway corridor shall provide a 15 foot wide planting area between the property line and edge of parking lot. The planting area shall consist of plants as listed in Section 10.6, D.2.b of the Landscape Regulations. Section 10.6 - A planting strip of no less than four (4) feet in width shall be provided between said property line and the off-street parking facilities (asphalt). A planting screen or hedge, of developers choice, and between two (2) and four (4) feet in height shall be provided and maintained on a continuing basis, except that such screen or hedge shall not obstruct or obscure sight lines, restrict vehicular movement, or block pedestrian walkways or sidewalks and/or,
- b. A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

If a private dumpster service is provided, then dumpster must be enclosed on all sides and gated with an opaque fence and an opaque double gate.

Recommendation

Planning recommends approval subject to the following:

1. ~~Conditional use approval is subject to City Council's approval of vacation of street and rezoning of 1.1 acres to C-3, GC-P.~~
2. The outside storage of equipment, products, materials, trailers, or any other items by tenants or proerty owner is prohibited.
3. Provide a landscape plan with base and parking lot points and buffers as required in Section 7.6 and provide the ISR (Impervious Surface Ratio) for the development.
4. The exterior material of buildings must meet the exterior material minimum requirements of Section 7.6 Gateway Corridor Overlay District.
5. The site plan does not show a dumpster location. If a dumpster is used, the dumpster must be enclosed on all sides with opaque material and gated with opaque material at a height, so dumpster is not visible outside the enclosure.

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.

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

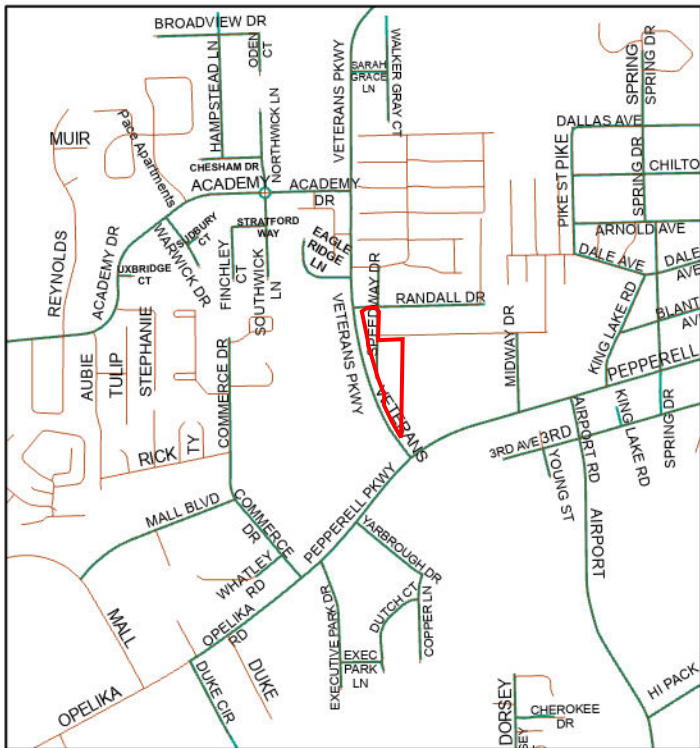
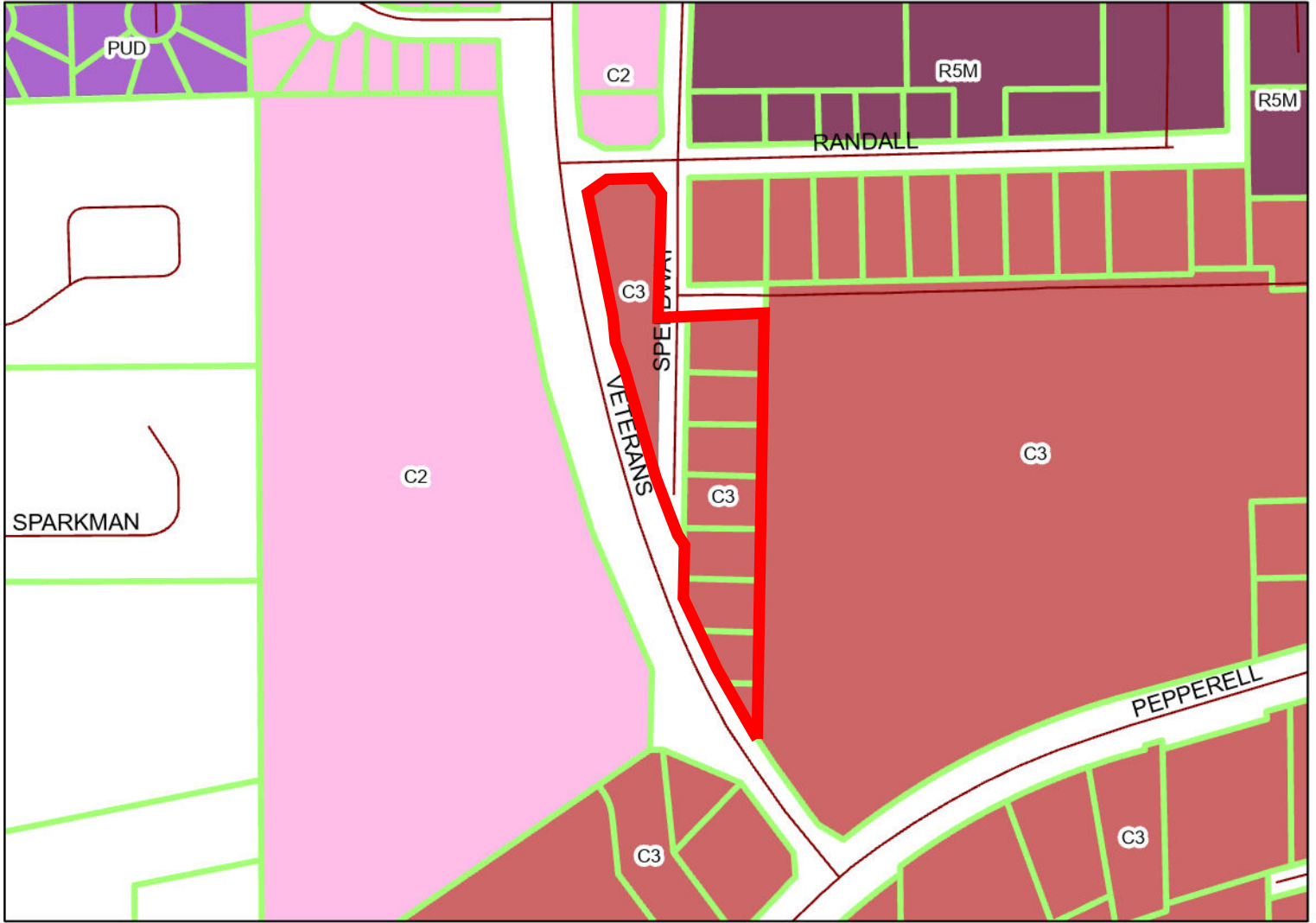
Opelika Water Board

Water service is available from 12" main on the eastern side of Speedway Dr.

Opelika Power Services

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

OFFICE AND WAREHOUSE for CONTRACTOR 85 VETERANS PARKWAY CONDITIONAL USE, C-6

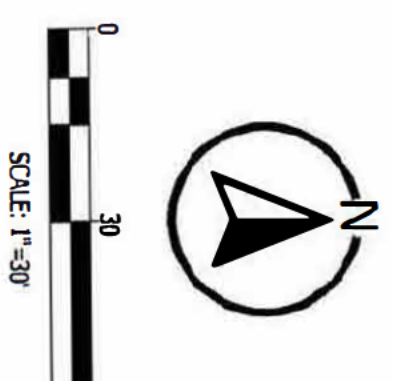
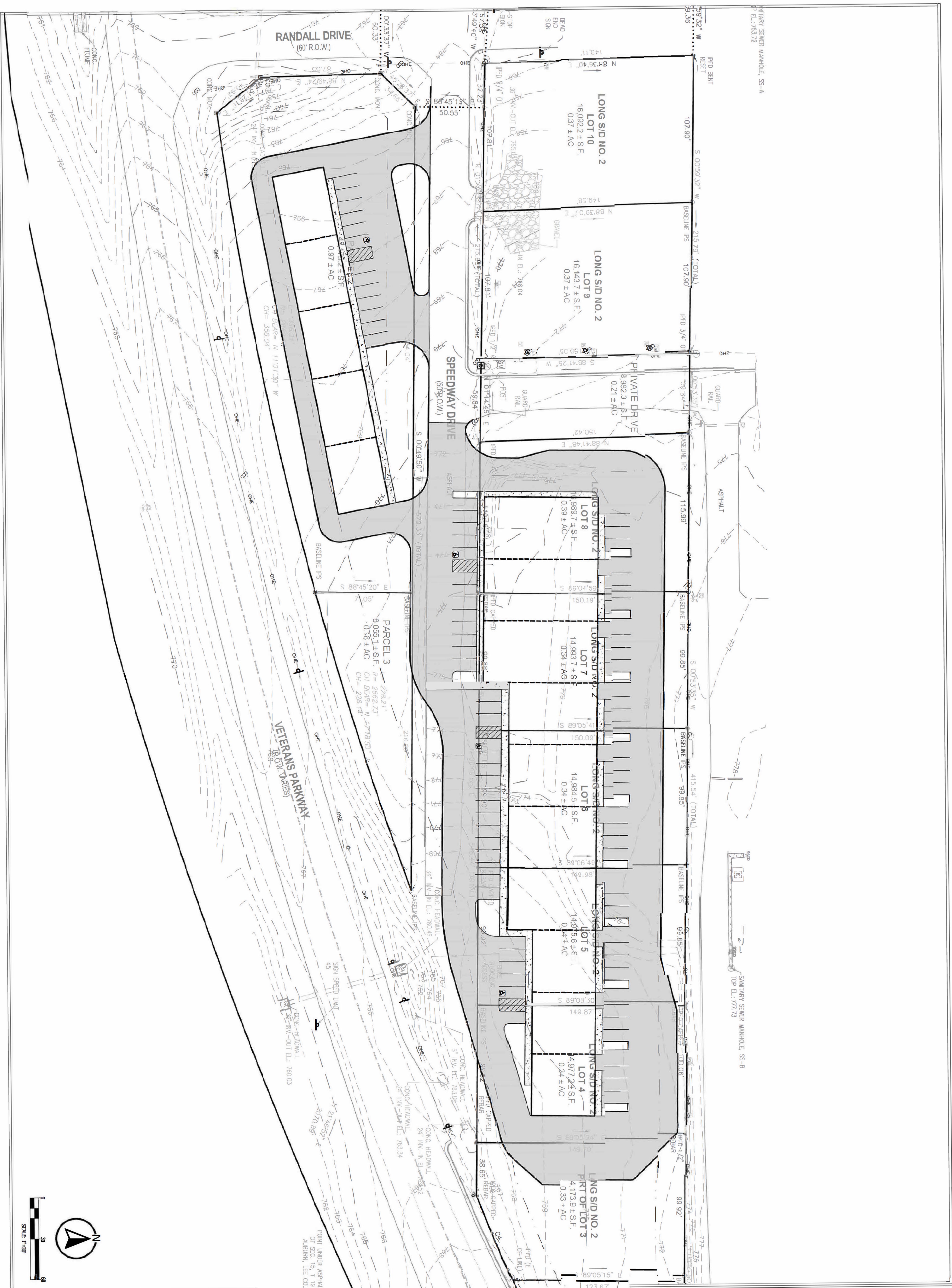


The applicant was granted conditional use approval at the November 2023 PC meeting for 9 to 14 contractor tenant spaces at this same location. The CU expired and applicant is requesting CU approval again. The property was also rezoned to C-2, GC-P by City Council after a positive recommendation was granted at the Nov 2023 PC meeting.



Subject Property

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<Project Title>
 <Project Client>
 <Project Location>

No.	Revision	Date

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 Kadre Engineering, LLC

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

XXX
 XX of XX

SHEET NUMBER: _____

SCALE: _____

PROJECT NUMBER: _____

DATE: _____

CHECKED BY: _____

DRAWN BY: _____

INITIALS: _____

DATE: _____

PROJECT NUMBER: _____

SCALE: _____

SHEET NUMBER: _____

DATE: _____

CHECKED BY: _____

DRAWN BY: _____

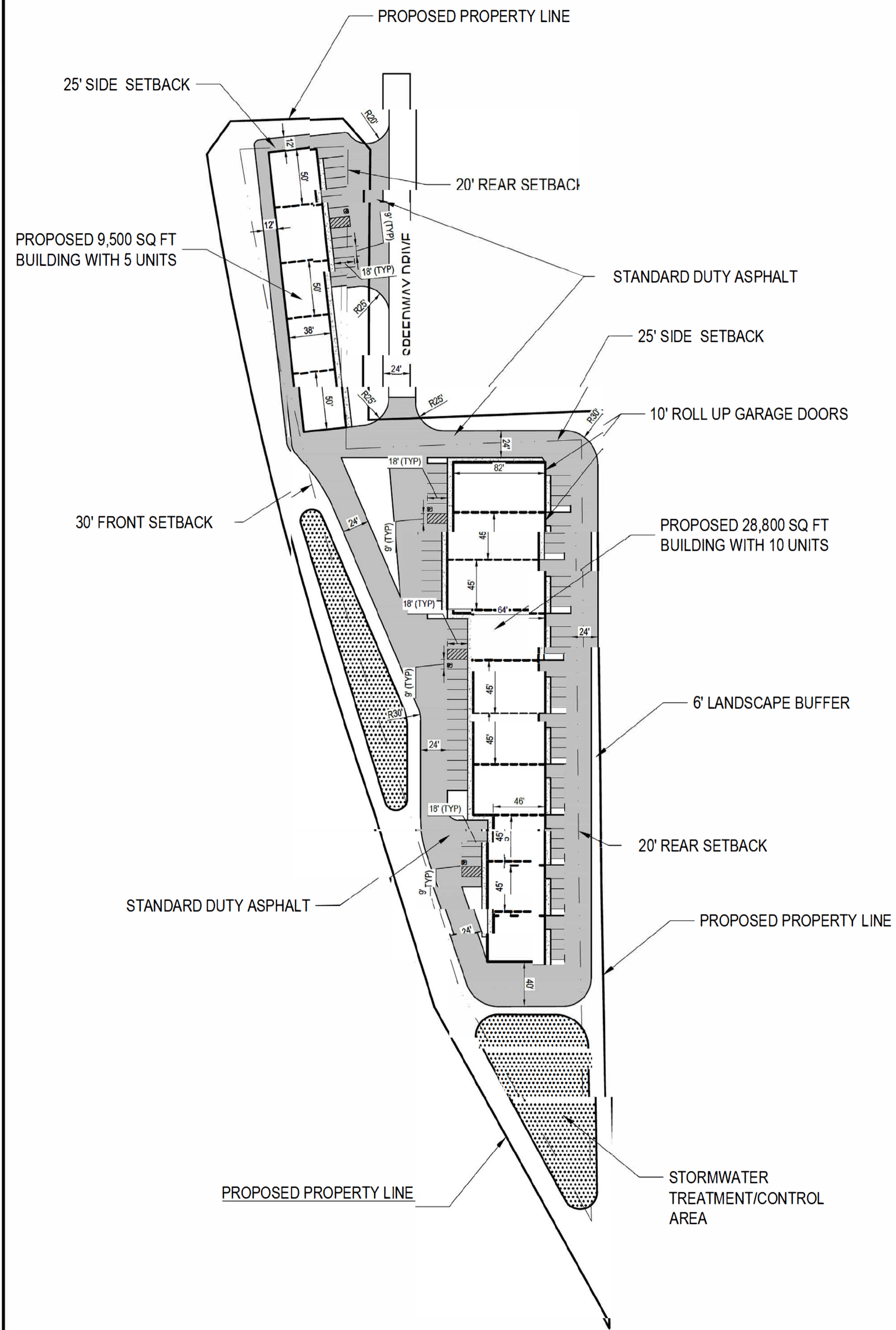
INITIALS: _____

DATE: _____

PROJECT NUMBER: _____

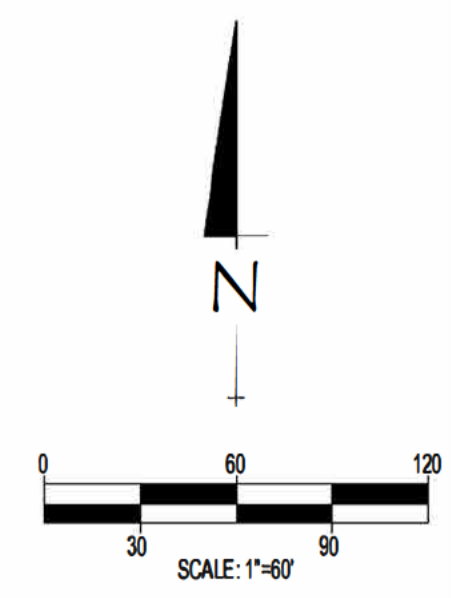
SCALE: _____

SHEET NUMBER: _____



SITE SUMMARY	
PARCEL NUMBER:	
PARCEL AREA:	4.22 ± AC
DISTURBED AREA:	2.80 ± AC
BUILDING SETBACKS:	
FRONT:	30
SIDE:	10
REAR:	20
CURRENT ZONING:	C2/C3
PROPOSED ZONING:	C3
TOTAL UNITS:	15
TOTAL PARKING REQ'D:	57
TOTAL PARKING PROVIDED:	73
OFFICE SPACE:	12,767 (1 SPACE/250SQFT)
WAREHOUSE SPACE:	26,533 (1 SPACE/4,000SQFT)
ACCESSIBLE PARKING REQ'D:	3
ACCESSIBLE PARKING PROVIDED:	4
PARKING REQUIREMENT:	57
PARKING SPACE DIMENSIONS:	9'X18'

SITE LAYOUT LEGEND	
	ASPHALT PAVING
	STORMWATER POND
	ADA PARKING SYMBOL






PROPOSED SITE PLAN


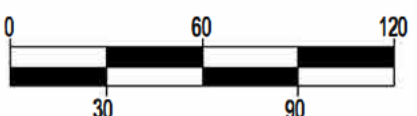


PROPOSED SITE PLAN

SITE LAYOUT LEGEND

-  ASPHALT PAVING
-  STORMWATER POND
-  ADA PARKING SYMBOL

N

SCALE: 1"=60'



LBYD ENGINEERS
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LBYD Project Number

Seal

Revision	
Date	

Project Name
VETERANS OFFICE DISTRICT

Sheet Title
AERIAL SITE LAYOUT PLAN

Date

Checked By

Sheet Number
C4.1

Sequence Total

Veterans Office District

Agenda

Site Introduction

- Existing conditions, location and historical data.

Development Summary

- Units, square footage and amenities.

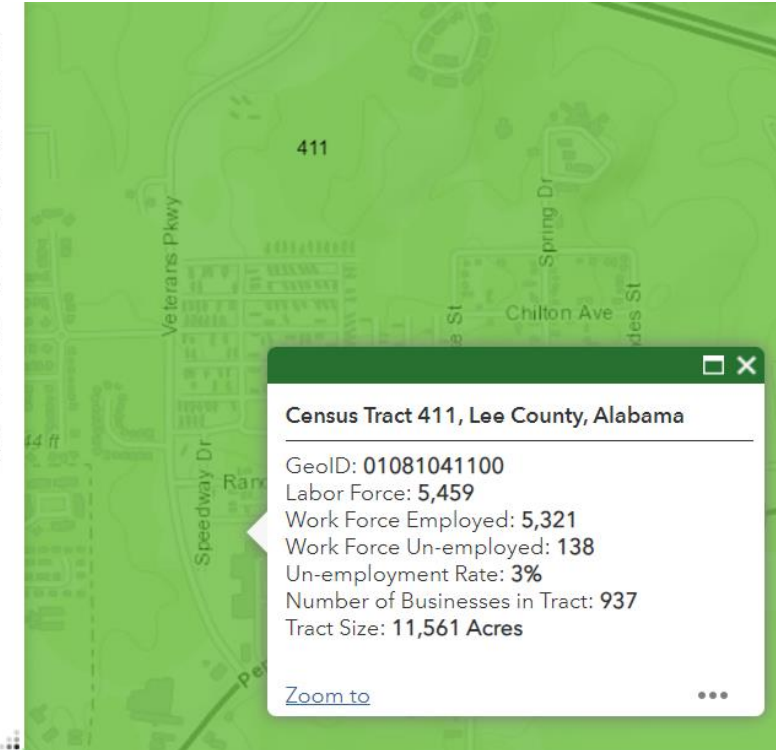
Development Highlights

- Plat, structures, illustrations and layout.

Site Introduction

- 1 Deed, 10 platted parcels.
- 3.91 Ac (without vacate).
- 2 Zonings currently: C2 and C3
- ~2,300 Vehicles traveled daily.
- Falls within Opportunity Zone
- 4 mi. to Downtown Auburn or Opelika

The Governor's Office, with the input of the Alabama Department of Economic and Community Affairs, identified and selected 158 Opportunity Zones in the state with each of Alabama's 67 counties having at least one designated zone. Using an objective methodology that involved input from a variety of resources to determine areas where the program could be most effective, the selected zones were chosen from 629 qualifying census tracts. The selected tracts average between 1,200 and 8,000 in population and vary in size from 199 acres to 235,352 acres. Click [here](#) to download a copy of the "Opportunity Zones 101" brochure.



C-2 Office/Retail District. This district is intended to provide areas for offices and neighborhood small retail uses. Other uses would include residential, banks, fast food, convenience stores and similar uses.

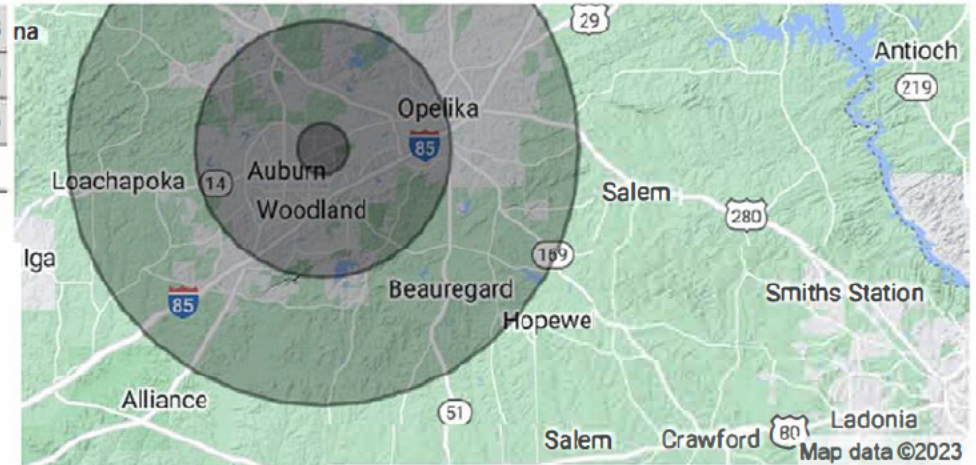
C-3 General Commercial District. This district is characterized by a broad range of retail, wholesale, and service uses and is equivalent to previous general and highway business districts. Uses allowed are motels, individual businesses, small strip centers, banks, fast-food establishments, grocery stores, and similar uses. These areas should be served by sanitary sewer.

Demographics

2 of 2

10/14/2023 2:52 PM

Hour Beginning	Eastbound	Westbound	Total
Day Total	2,062	2,079	4,141
Date Collected 09/22/2021			
Day Total	1,166	1,172	2,338
Grand Total	4,076	4,134	8,210
Percentage	49.65%	50.35%	100.00%
AM/PM Peak Hour and Totals			
Peak AM Hour	7:00am - 8:00am		
Peak AM Volume	499		
Peak AM Percentage	12.05%		
Peak PM Hour	5:00pm - 6:00pm		
Peak PM Volume	389		
Peak PM Percentage	22.47%		

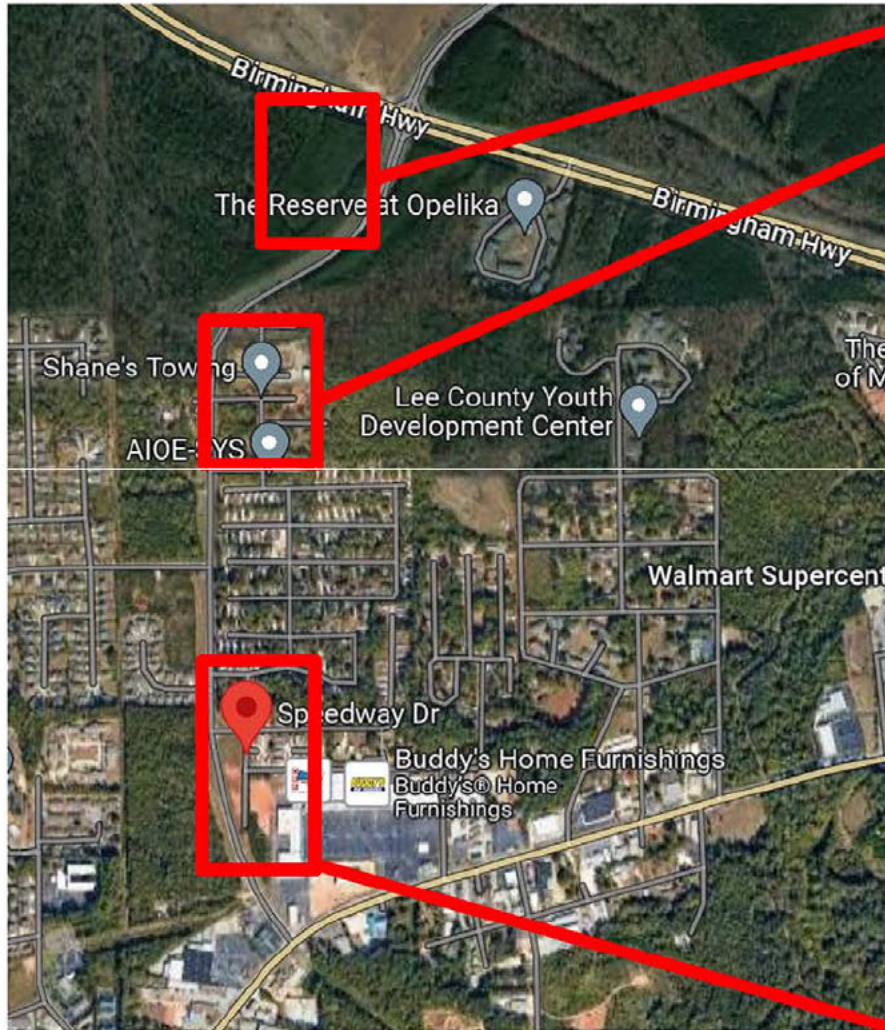


POPULATION	1 MILE	5 MILES	10 MILES
Total Population	7,540	74,166	108,733
Average Age	32.6	32.9	34.2
Average Age (Male)	30.0	32.2	33.4
Average Age (Female)	36.2	34.4	35.7
HOUSEHOLDS & INCOME	1 MILE	5 MILES	10 MILES
Total Households	3,902	34,004	48,250
# of Persons per HH	1.9	2.2	2.3
Average HH Income	\$53,188	\$59,211	\$62,468
Average House Value	\$165,342	\$186,499	\$182,460

Arial Map



Nearby



Publix: 12-16 business with, 2025 open date.



Recent new build comps

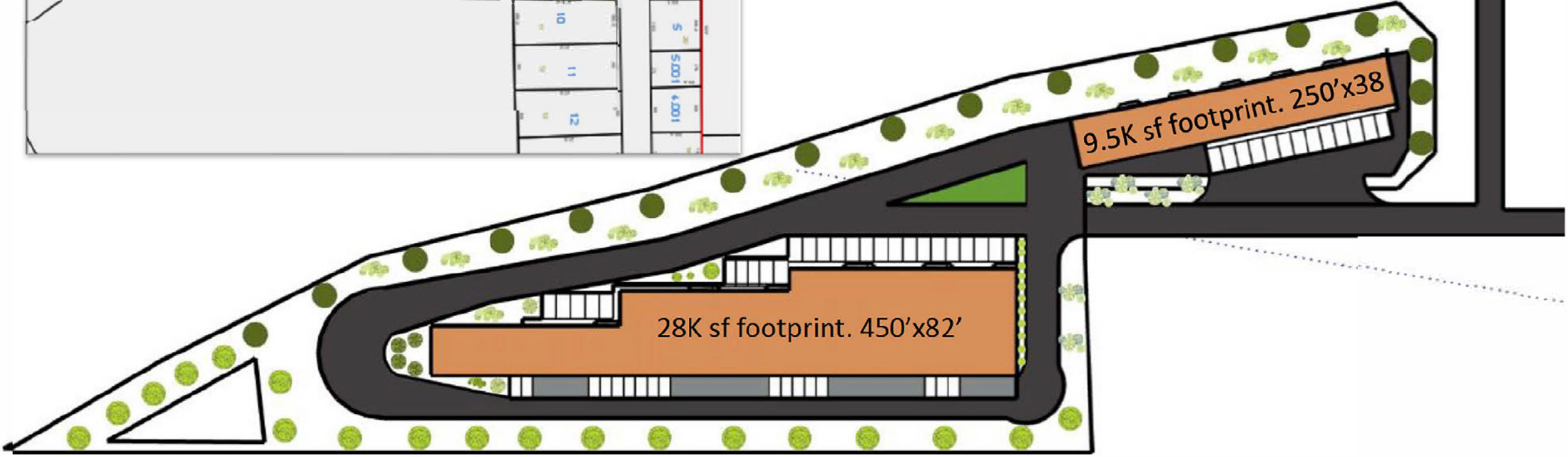
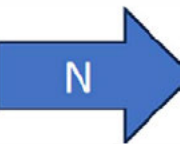


Plat and Historical



Development Summary

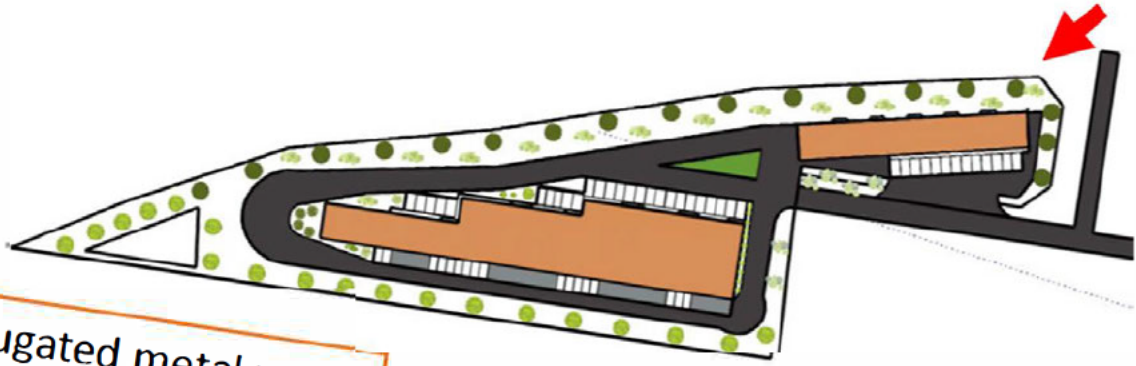
- Free span, red iron structures with a mixed façade of brick veneer and hardie lap. Mixed use spaces with optional office and/or warehouse availability.
- Onsite garbage collection.
- 2 structures (~9,500 sf, ~28,000 sf) totaling ~38,000 sf.
- Total unit options between 8-14 depending on size and configuration.
- Traffic in and out site circle for easy and safe traveling.
- Back of building access for all employees and warehouse entrances including multiple rollup door access for each space.



28K sf footprint. 450'x82'

9.5K sf footprint. 250'x38'

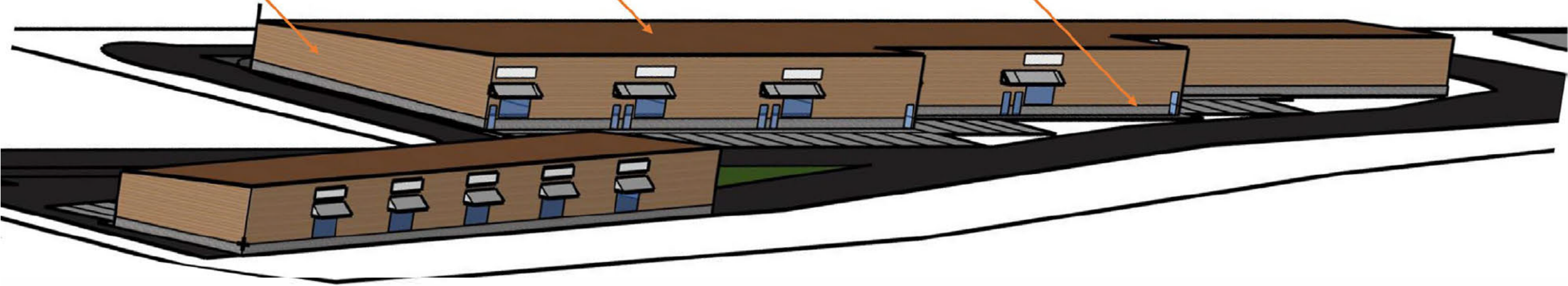
Site Plan

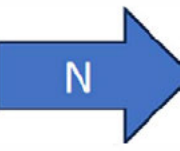


Hardie lap siding

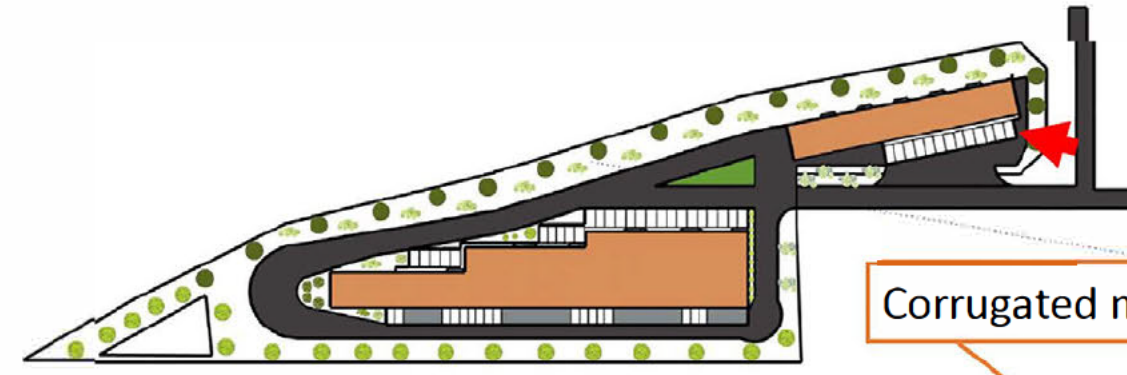
Corrugated metal roof

Brick apron ~3 foot





Site Plan

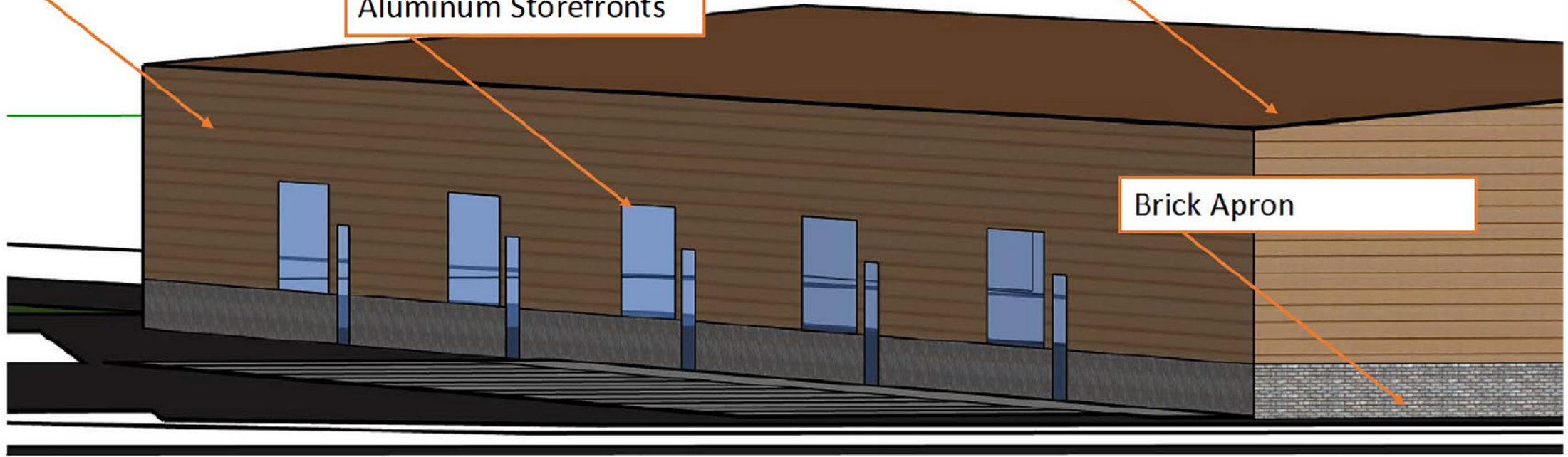


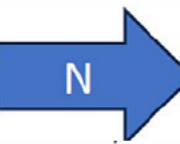
Hardie Lap

Corrugated metal roof

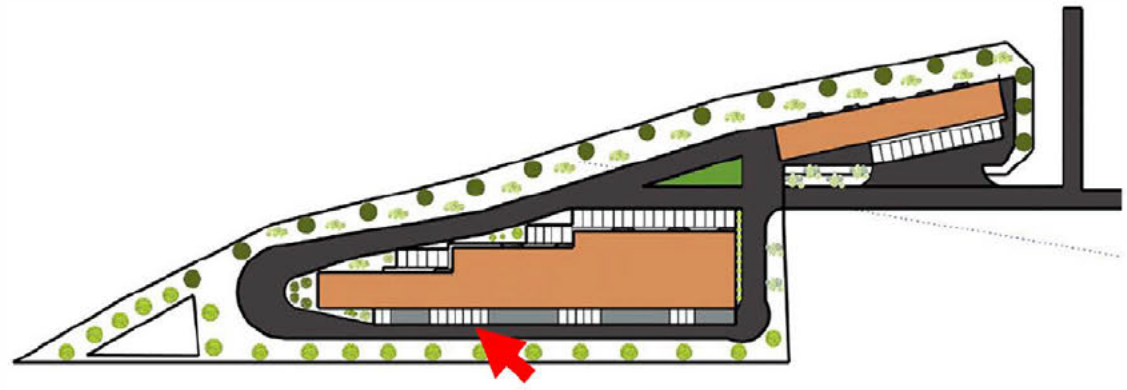
Aluminum Storefronts

Brick Apron





Site Plan

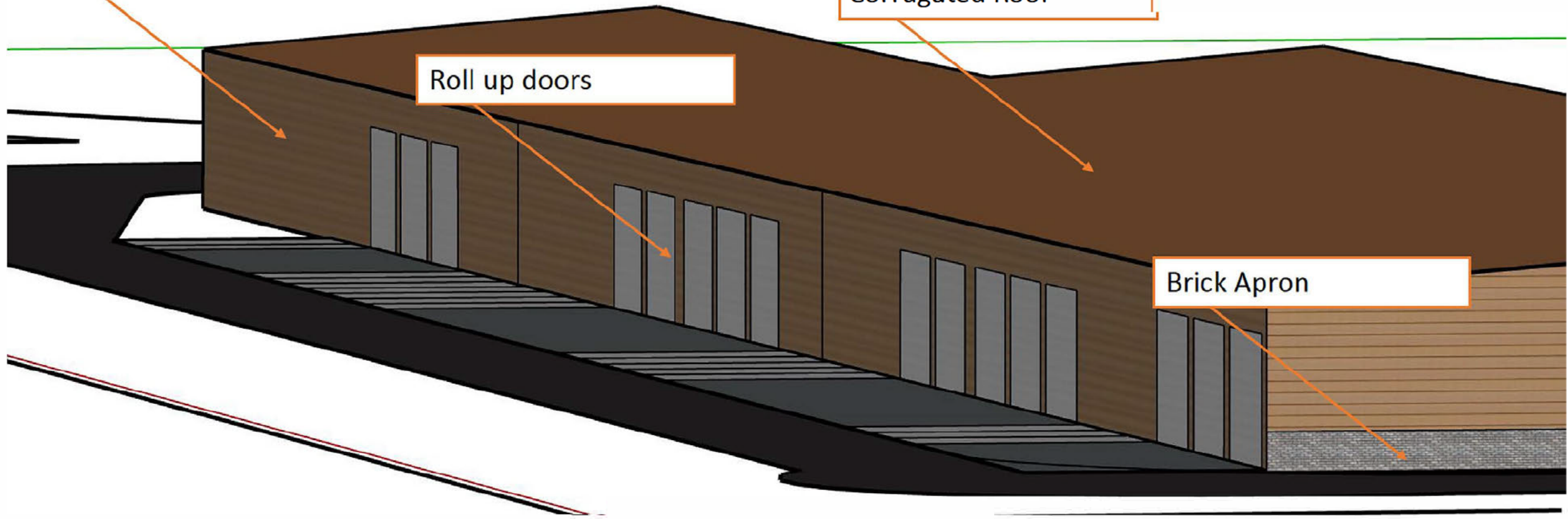


Hardie Lap

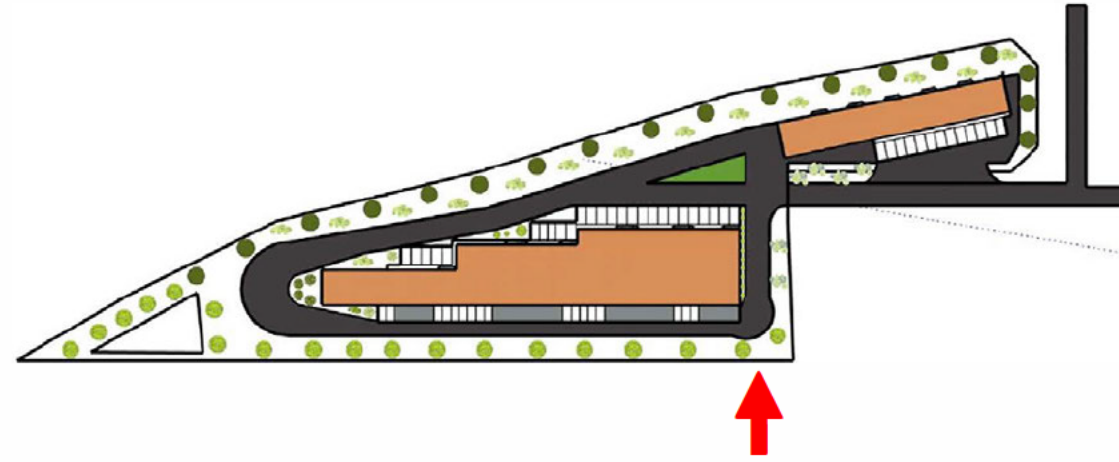
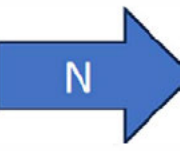
Corrugated Roof

Roll up doors

Brick Apron

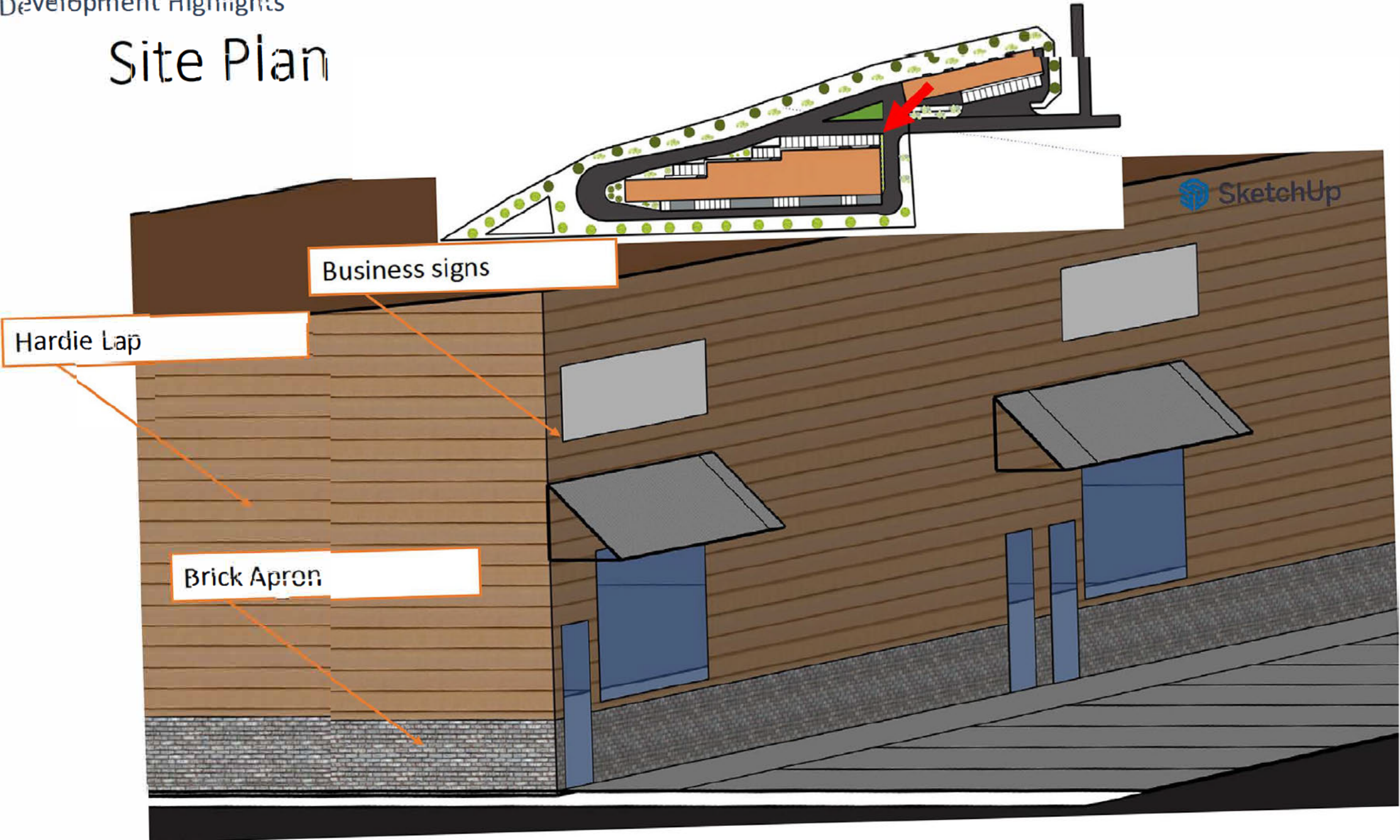


Site Plan





Site Plan



Agenda Item

C-7

Conditional Use

Extreme Power Sports

4800 Birmingham Highway

(Public Hearing)

AGENDA ITEM # _____



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



PC DEADLINE: 1/28/26 PC MEETING: 2/24/26

SITE ADDRESS: 4800 US HWY 280 (AT GRAND NATIONAL PKWY)

PROPERTY OWNER: JD REAL PROPERTIES, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: BARRETT-SIMPSON, INC. - BLAKE RICE

MAILING ADDRESS: _____

PHONE NUMBER: (334) 745-7026 **FAX NUMBER:** N/A

EMAIL ADDRESS: BRIICE@BARRETT-SIMPSON.COM

PARCEL INFORMATION

Project name: EXTREME POWERSPORTS - OPELIKA **Address/Location:** 4800 US HWY 280

Current Land Use: VACANT **Current Zoning:** C 3

Adjacent Zoning Districts: North: C2 South: C2 East: R2 West: C 3

Description of Proposed Use: COMMERCIAL BUSINESS FOR THE SALE AND MAINTENANCE OF ATVS

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, JD REAL PROPERTIES LLC, being owner of the property which is the subject of this conditional use application hereby authorize BLAKE RICE - BARRETT SIMPSON INC to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

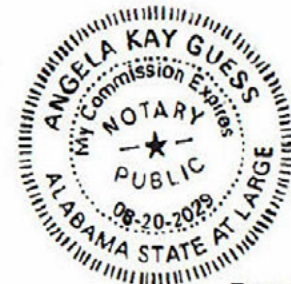
Property Owner's Signature: James GDyer II Digitally signed by James GDyer II Date: _____

STATE OF ALABAMA,
COUNTY OF LEE

I, Angela Kay Guess, a Notary Public in and for said County and State, hereby certify that James GDyer II, 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 23 day of January 2026
Angela Kay Guess
Notary Public

My Commission Expires: 08-20-2029



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

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

1) How is the proposed use appropriate in the location for which it is proposed? _____
This facility will be placed on a major arterial road with great access.

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? _____
No, this facility will be constructed on a corner lot in a commercial zone. No adverse effect on existing infrastructure.

3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? _____
This facility will be situated above the road and will be buffered with landscaping.


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 _____

AGENDA ITEM # _____


CERTIFICATION

I, Blake Rice, Barrett-Simpson, Inc., 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: 1/23/26
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.	

STATEMENT OF UNDERSTANDING

I, Blake Rice, Barrett-Simpson, Inc. (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: 1/23/26
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 24, 2026

Agenda Item #: C-7

Action Requested: Conditional Use – ATVs and Motorcycle Sales lot and Maintenance Services - Extreme Powersports

Location of Property: 4800 Birmingham Hwy (Hwy 280)

Property Owner: JD Real Properties, LLC
Blake Rice, authorized representative

Current Zoning: C-3, GC-P

Existing Land Use: Undeveloped

Zoning Districts and Land Uses:

North	C-3, GC-P	Undeveloped
South	C-2, GC-P	Commercial (BP gas station)
East	R-3	Undeveloped
West	C-2, GC-P	APR (performance vehicle services)

This conditional use was approved with conditions at the July 2022 PC meeting and then a revised site plan and elevations were presented and approved at the September 2022 Planning Commission meeting. After the Sept 2022 PC meeting a building permit was not obtained within one year of the Sept 2022 approval and the CU approval expired as required by the Zoning Ordinance. The applicant received conditional use approval again in May 2024. The applicant is now resubmitting for conditional use approval.

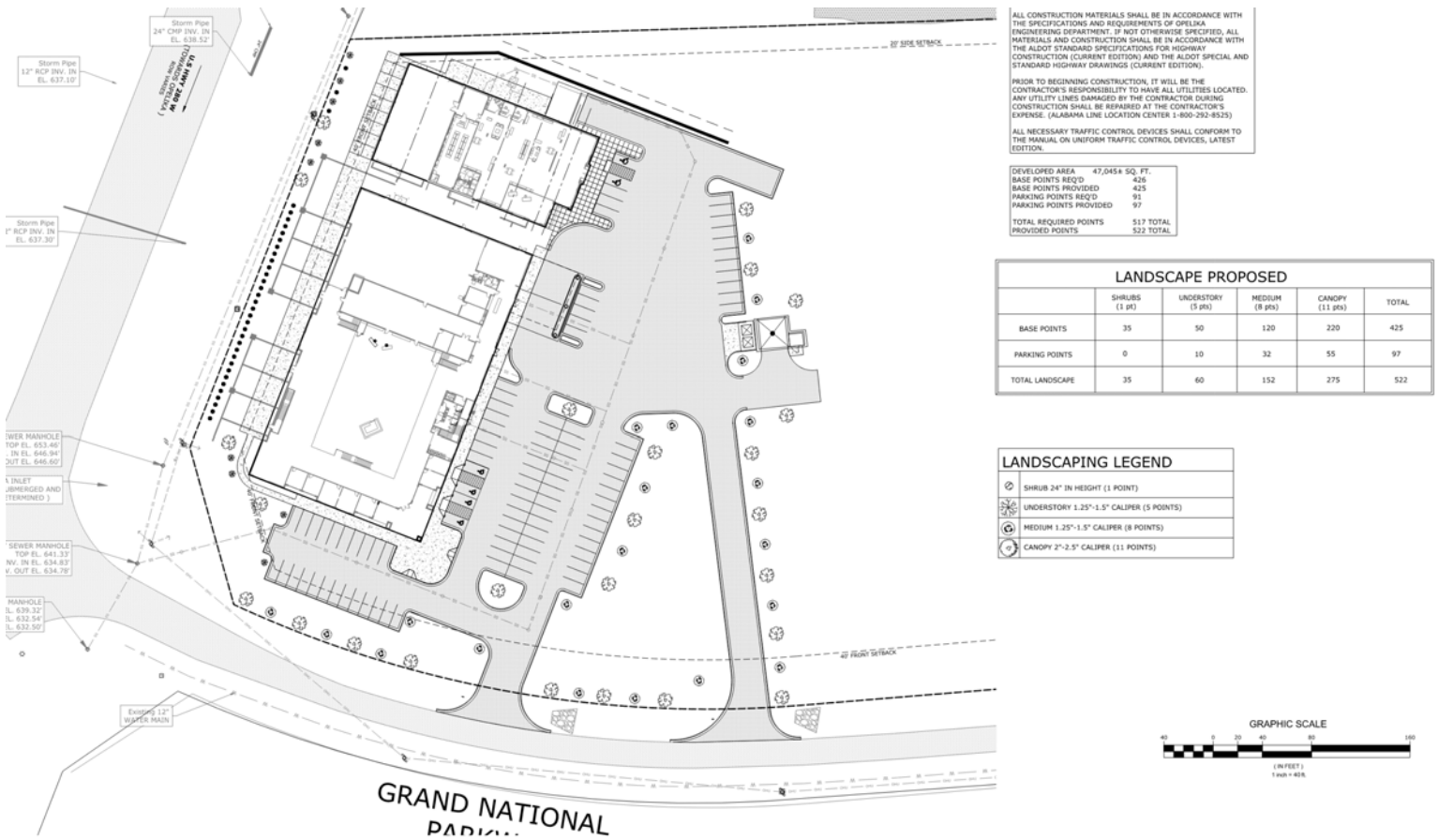
Proposal

The revised site plan & landscape plan on page 2 and in PC packet from the Sept 2022 PC meeting shows a 37,500 square foot (sf) Extreme Powersports showroom & maintenance shop and a 13,640-sf Honda dealership building on 10.3 acres. The original site plan had a future 10,600 sf warehouse in the rear yard area. The warehouse is replaced by the Honda dealership building; the Honda building is located parallel to and setback the same as the showroom building. Page 2 is the updated site plan & landscape plan. Access is provided to the buildings from two driveways on Grand National Parkway spaced about 200 feet apart; there is no direct access from Highway 280.

The property meets the maximum 70% impervious surface ratio requirement: 32% or 3.3 acres of the 10.3 acre property is impervious. The site plan provides 101 parking spaces including 6 handicapped parking spaces. A dumpster is shown on the east side of the property near the 2nd driveway on Grand National Parkway. The dumpster must be screened with an opaque fence and double gate at a height so dumpster is not visible outside the fence.

The Feb 2026 landscape plan below meets the minimum base and parking lot point requirements – 517 total points required and 522 points provided. The parking lot has three landscape islands with at least one tree planted in each island as required. Shrubs are required to capacity in each island/peninsula and shrubs need to be added. The development is at a growing commercial intersection with a traffic light at Highway 280 and Grand National. The landscape plan shows trees along the front property line in most areas along Highway 280 and Grand National Parkway. Staff recommends trees planted along the entire front property line of both streets to enhance the lot and intersection. The buffer of trees and shrubs should extend to the side property lines of each street. The tree type selected (understory, medium, or large tree) should follow the spacing distance options provided in 10.6 D.2. b.¹ of the Landscape Regulations. The adjacent property on the east side across Grand National Parkway is undeveloped and zoned residential (R-2). The trees along Grand National will serve as a residential buffer.

February 2026 Landscape Plan



At the Sept 2022 meeting, the Planning Commission granted conditional use approval subject to conditions for the sales lot, showroom building, and maintenance shop. Nine conditions for approval were provided. The conditions include that the elevations and exterior material on the showroom building must include

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

architectural style windows, doors, and other improvements. The elevation drawings and architectural style approved by the Planning Commission at the Sept 2022 meeting are provided below.

Elevation facing Grand National –The exterior wall materials for this front elevation with entry to the ATV showroom building consist of stone veneer, painted CMU veneer (split face concrete block), and store front windows. The stone or CMU veneers are about 10 feet high from ground level and border each store front window. The upper 12-foot section is about 40% stucco finish insulated metal wall panels and 60% EIFs; EIFs is in the middle section and at each end of the building. The most notably change from the original elevation is adding a middle gable to break up a long roofline to give the wall more character. EIFs material and store front windows are installed near the corner of the building. (The two metal awnings shown above the windows in the upper 12-foot section were lowered above the ground level windows.)



EAST ELEVATION - GRAND NATIONAL PARKWAY

Elevation facing Birmingham Highway (Hwy 280) –The exterior wall materials and elevation for the showroom and Honda buildings below has the same exterior materials as the wall facing Grand National. The bottom 10-foot wall area is stone and painted CMU veneer; the upper 12-foot area is 40% stucco finish insulated metal wall panels and 60% EIFs. The most notably change from the July 2022 elevation is the addition of store front windows and two entrance doors. Each entrance door is a double door (or side-by-side door) with a sidelight glass window on each side of the double door; each double door with sidelights appears as a wider entrance way. The July 2022 elevation had no store front windows. The revised elevation provides four 3-panel storefront glass windows.



SOUTH ELEVATION - HWY 280

Outside display of ATVs are proposed on site plan below. A 24-hour outside display area (day & night) is the 20-foot wide sidewalk/display area that faces Highway 280 (yellow area on site plan below); the sidewalk is about 320 feet long and adjacent to the 37,500 sf showroom building and the 13,640 sf Honda dealership building. A 10-foot-wide sidewalk and wider open areas face toward the rear parking lot and north property line. This is the blue area on site plan below. The blue area is a temporary outside display area during business

Recommendations

Staff recommends approval subject to the following conditions (These conditions include the conditions approved at the Sept 2022 Planning Commission meeting.)

1. **Extend trees along the front property line of Highway 280 to the west side property line. Tree spacing must be based on tree type as provided in Landscape Regulations.**
2. **Add trees along the front property line of Highway 280 and Grand National Parkway to both side property lines. Tree spacing based on tree type as provided in Landscape Regulations.**
3. **ATVs outdoor display is limited to the areas shown on drawing attached. No parts or tires shall be displayed or stored outside.**
4. **The outside display of ATVs on 10-foot wide sidewalks must be ADA compliant concerning minimum clearance of an aisle width especially for wheelchair passage.**
5. **Enclose dumpster on all sides with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.**
6. **Wall signs are shown on the revised elevation drawings. This conditional use review does not include a review of signage. A Sign Permit application must be completed and approved by Planning staff and Building Inspections before any permanent signs are installed. Contact Planning staff to obtain approval for temporary signs before any temporary signs are installed.**
7. **If outside lighting is proposed for ATVs, brightness must not exceed 1 footcandle at the property line.**
8. **Fence material to secure ATVs must be a commercial architectural style (ex. Ornamental decorative fencing or rod-iron appearance). Wire mesh or chain link type fencing is prohibited.**
9. **All outside display areas must be hard surface – concrete or asphalt - not gravel or yard area.**

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 locations to Veterans Parkway are approved as submitted in the site plan.

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

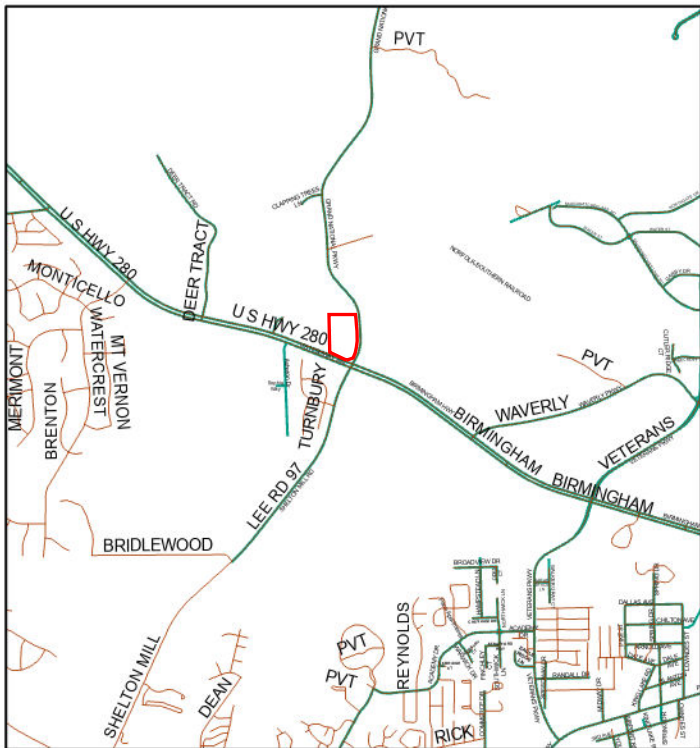
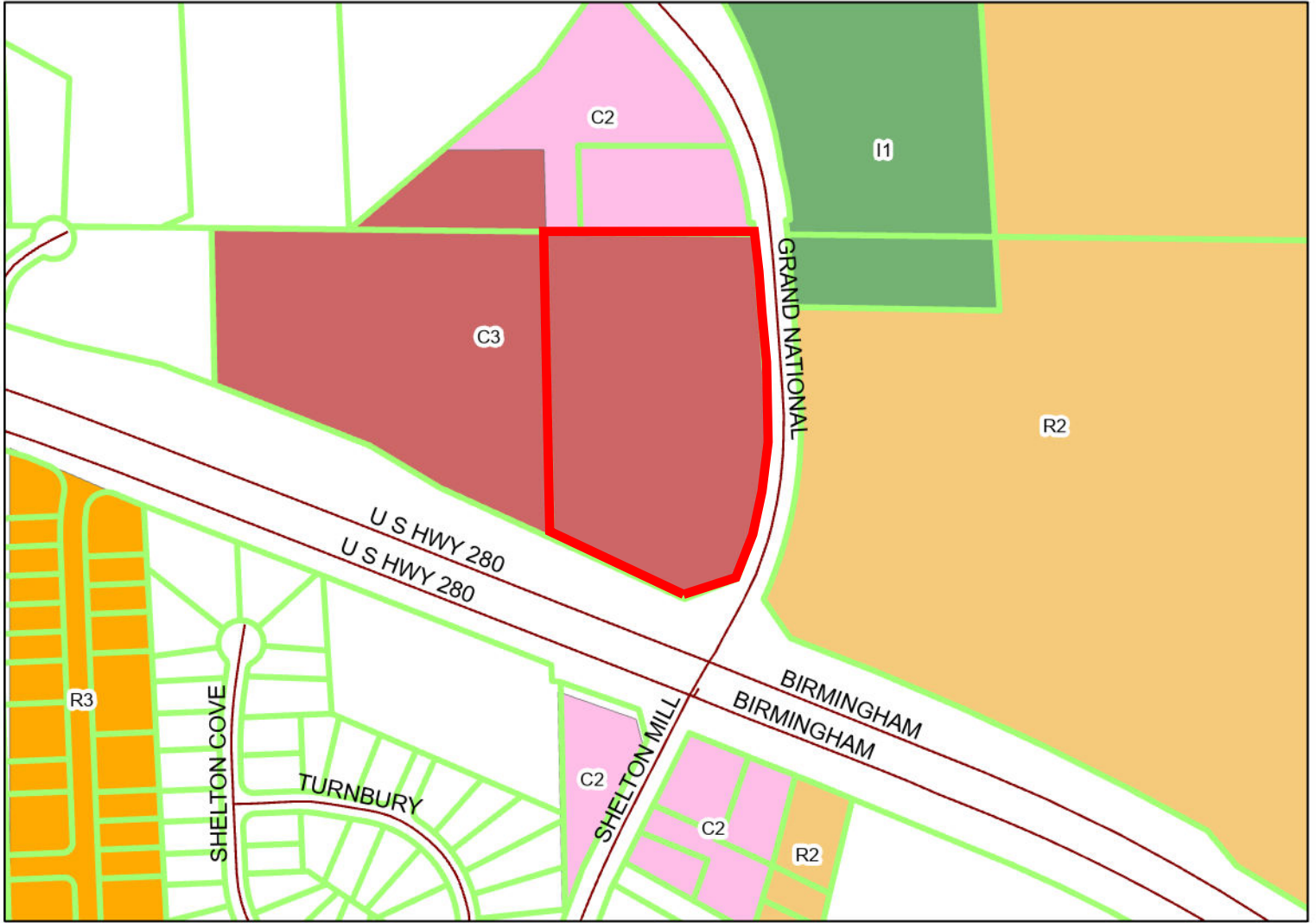
Opelika Water Board

Water service is available from 12" main on the eastern side of Grand National Parkway

Opelika Power Services

This is outside of the Opelika Power service territory.

EXTREME POWERSPORTS ATVs 4800 BIRMINGHAM HIGHWAY AT GRAND NATIONAL PARKWAY CONDITIONAL USE, C-7

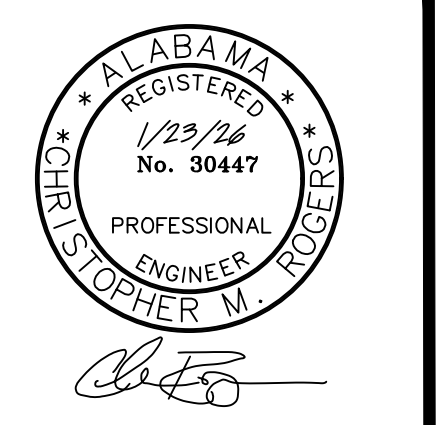


The applicant is requesting approval for an all-terrain vehicle and motor cycle sales and maintenance shop. The building is 37,500 square feet on a 10.38 acre parcel. The property is zoned C-3, GC-P. (The same use was approved at this same location several years ago.)



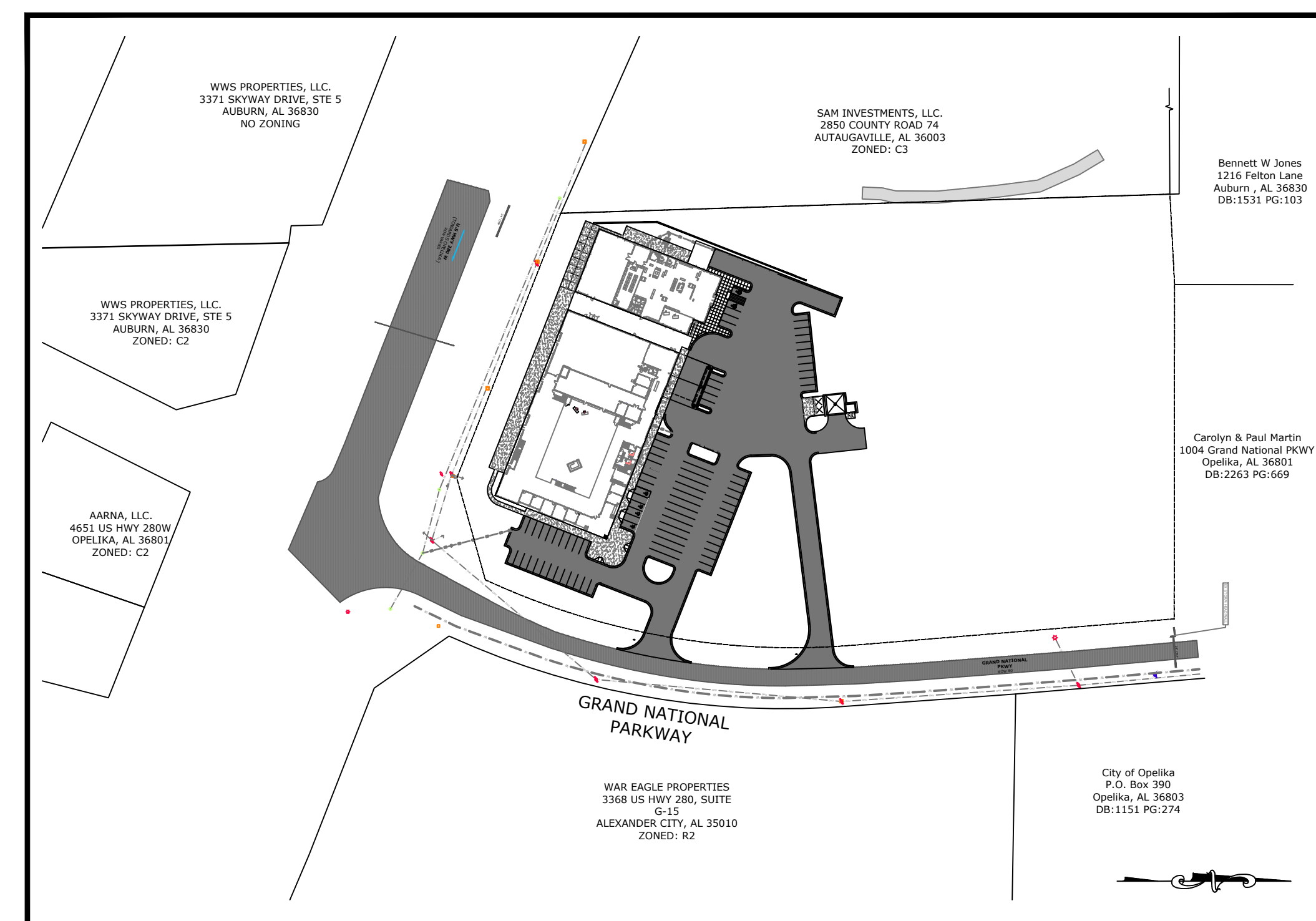
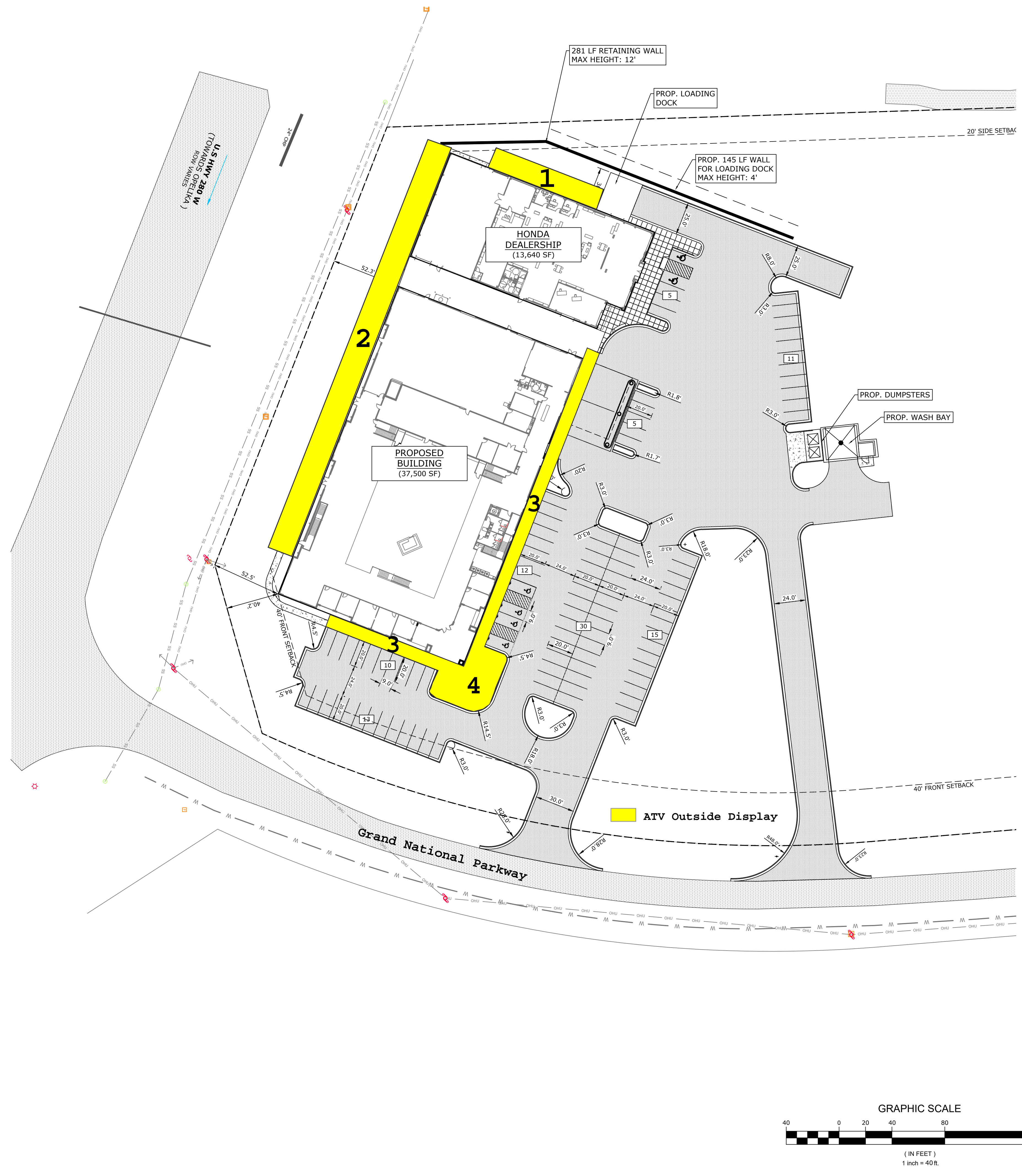
Subject Property

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



**EXTREME
POWERSPORTS**
Opelika, Alabama

SITE INFO:	
TOTAL PARCEL SIZE:	10.38 ACRES
REQ'D PARKING SPACES:	
WAREHOUSE:	1 SPACE / EMPLOYEE 5 SPACES 1 SPACE / 4000 GSF 3 SPACES
SHOWROOM:	1 SPACE / 1500 GSF (SALES & SERVICE) 1 SPACE / 250 GSF (OFFICE)
EXTREME POWERSPORTS:	
SALES/SERVICE:	30,700 SF @ 1 SP/1,500 GSF: 21 SPACES
OFFICE:	6,800 SF @ 1 SP/250 GSF: 28 SPACES
HONDA DEALERSHIP:	
SALES/SERVICE:	9,840 SF @ 1 SP/1,500 GSF: 7 SPACES
OFFICE:	3,800 SF @ 1 SP/250 GSF: 16 SPACES
TOTAL REQ'D PARKING SPACES:	72 SPACES
PROVIDED PARKING SPACES: 101 (INCLUDING 6 HC SPACES)	
TOTAL H/C SPACES REQUIRED:	5
VAN ACCESSIBLE H/C SPACES REQUIRED:	1
TOTAL H/C SPACES PROVIDED:	6
VAN ACCESSIBLE H/C SPACES PROVIDED:	6
ISR CALCULATIONS:	
TOTAL PARCEL SIZE:	10.38 ACRES
TOTAL AMOUNT OF IMPERVIOUS SHOWN:	3.32 ACRES
I.S.R.:	0.35
MAX I.S.R.:	0.70
SETBACKS:	
NORTHERN PROPERTY LINE:	20'
WESTERN PROPERTY LINE:	20'
EASTERN PROPERTY LINE:	40'
SOUTHERN PROPERTY LINE:	40'



ADJACENT PROPERTY OWNER MAP
Scale: 1" = 150'

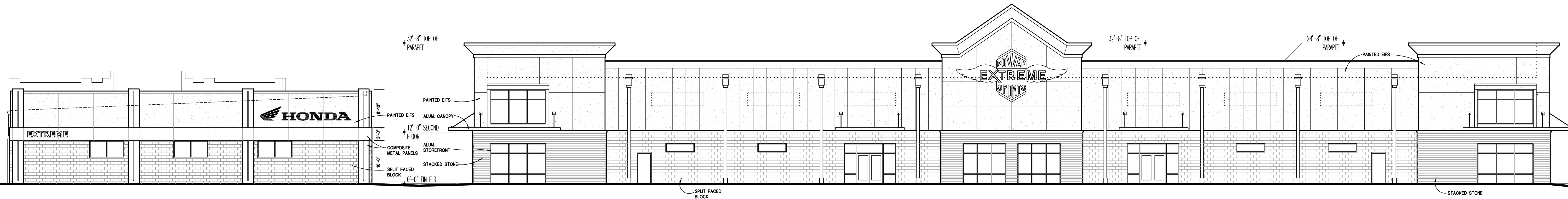
REVISIONS

1	
2	

**CONDITIONAL USE
SITE PLAN**

PROJECT INFORMATION

DESIGNED BY:	C. BRANNAN
REVIEWED BY:	C. ROGERS
APPROVED BY:	C. ROGERS
DATE:	1/22/26
PROJECT NUMBER:	22-0168



SOUTH ELEVATION - HWY 280

SCALE: 1/8" = 1'-0"



EAST ELEVATION - GRAND NATIONAL PARKWAY

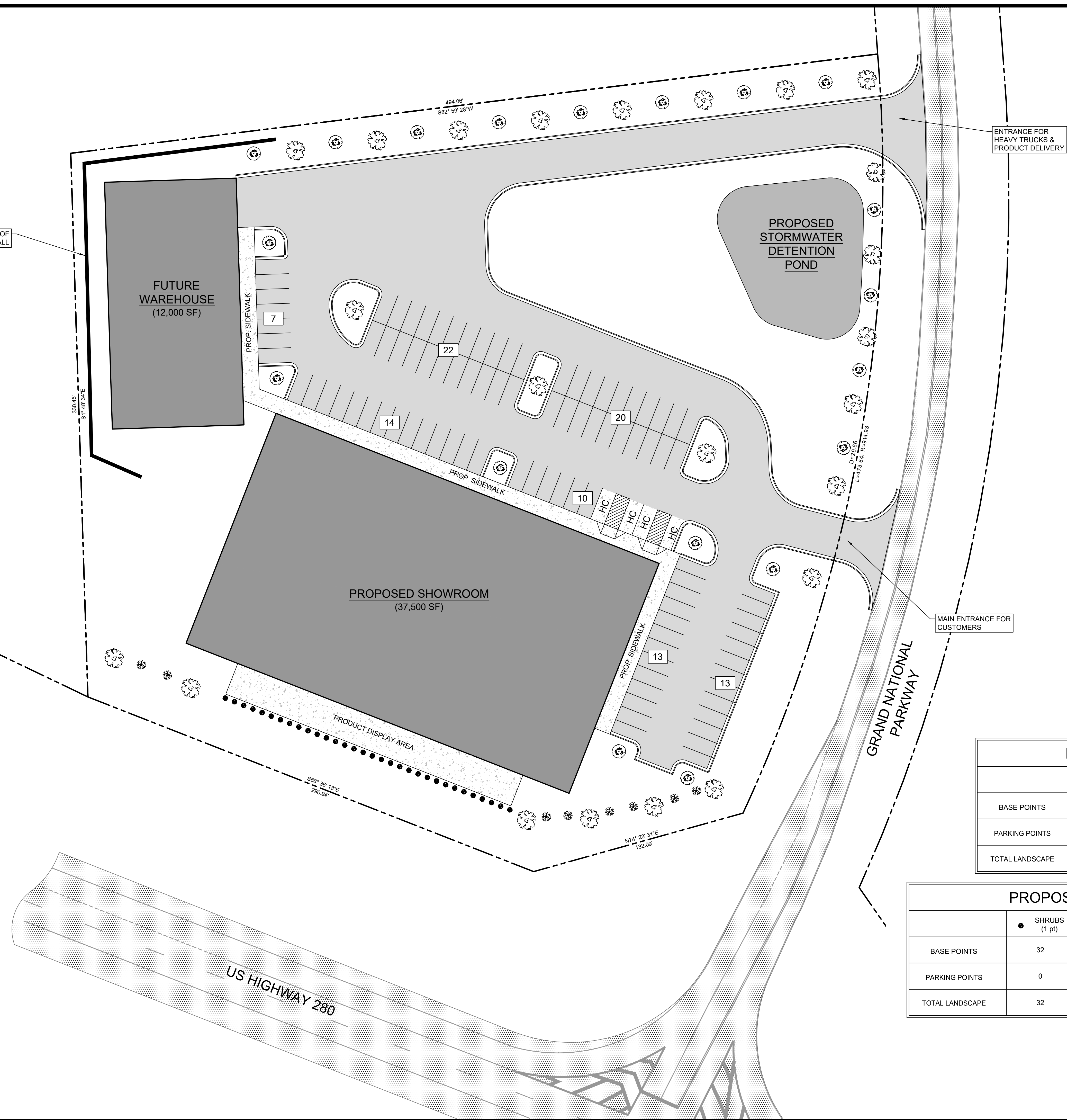
SCALE: 1/8" = 1'-0"

ORLANDO ROCK, LLC
 --
EXTREME POWER SPORTS
 OPELIKA, ALABAMA



Drawing Name: P:_BSI Projects\2022\22-0168 01 Dyer - Extreme Powersports - Opelika\DWG\Site Layout - 4-18-22.dwg Last Modified: Jun 06, 2022 - 3:23pm by crogers

APPROX. LOCATION OF REQ'D RETAINING WALL



ENTRANCE FOR HEAVY TRUCKS & PRODUCT DELIVERY

PROPOSED STORMWATER DETENTION POND

FUTURE WAREHOUSE (12,000 SF)

PROPOSED SHOWROOM (37,500 SF)

MAIN ENTRANCE FOR CUSTOMERS

GRAND NATIONAL PARKWAY

US HIGHWAY 280

SITE INFO:

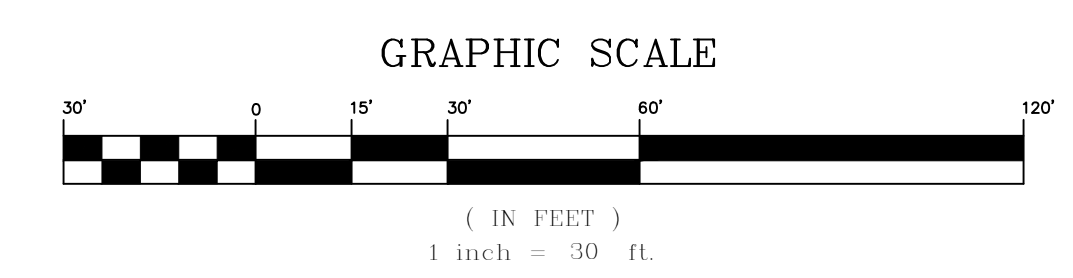
TOTAL PARCEL SIZE:	4.53 ACRES
DEVELOPED AREA:	4.0 ACRES
	174,240 SF
BASE POINTS REQ'D:	369
BASE POINTS PROVIDED:	377
PARKING POINTS REQ'D:	99
PARKING POINTS PROVIDED:	100
TOTAL POINTS REQ'D:	468
TOTAL POINTS PROVIDED:	477

PROPOSED PLANT COUNT

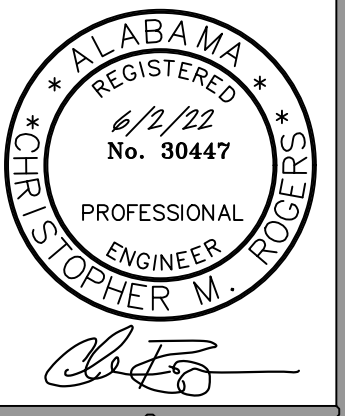
	● SHRUBS (1 pt)	✿ UNDERSTORY (5 pts)	⊗ MEDIUM (8 pts)	☼ CANOPY (11 pts)
BASE POINTS	32	8	12	19
PARKING POINTS	0	0	7	4
TOTAL LANDSCAPE	32	8	19	23

PROPOSED LANDSCAPE POINTS

	● SHRUBS (1 pt)	✿ UNDERSTORY (5 pts)	⊗ MEDIUM (8 pts)	☼ CANOPY (11 pts)	TOTAL
BASE POINTS	32	40	96	209	377
PARKING POINTS	0	0	56	44	100
TOTAL LANDSCAPE	32	40	152	253	477



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors
706 12th ST. PHEENIX CITY, AL 36867 (PH: 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36801 (PH: 334-745-7080)
121 W. BROAD ST. EUFALA, AL 36072 (PH: 334-687-4257)



EXTREME POWERSPORTS
OPELIKA, AL

REVISIONS:

1	
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LANDSCAPE PLAN

DRAWN BY: C. ROGERS
DESIGNED BY:
REVIEWED BY:
APPROVED BY:
DATE: June 2, 2022
PROJECT NUMBER: 22-0168
SHEET NUMBER: C2

Agenda Item

C-8

Conditional Use

Jason Scott Hise

1025 and 1011 Walker Gray Court



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



PC DEADLINE: _ _ _ PC MEETING: _ _ _

SITE ADDRESS: Walker Gray Court 1011 and 1025 Walker Gray Court
PROPERTY OWNER: Jason Scott Hise
APPLICANT/ AUTHORIZED REPRESENTATIVE: Jason Scott Hise
MAILING ADDRESS: [Redacted]
PHONE NUMBER: [Redacted] FAX NUMBER: N/A
EMAIL ADDRESS: [Redacted]

PARCEL INFORMATION

Project name: Hise Development Address/Location: Walker Gray Court 1011 & 1025 Walker Gray Ct.
Current Land Use: vacant Current Zoning: C3
Adjacent Zoning Districts: North: C3 South: C3 East: R5M West: C3
Description of Proposed Use: commercial warehouse building

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

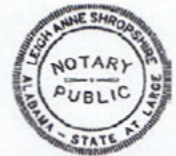
Property Owner's Signature: [Signature] Date: 1/8/26

STATE OF ALABAMA,
COUNTY OF LEE

I, Leigh Anne Shropshire, a Notary Public in and for said County and State, hereby certify that Jason Scott Hise, 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 8th day of January,
[Signature]
Notary Public

My Commission Expires: 08-04-2026



RE D. THE FOLLOWING GENERAL USE STANDARD, (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? The subdivision is
intended for industrial warehouse buildings.

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


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

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 _____

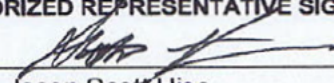
CERTIFICATION

I Jason Scott Hise, 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: 1/8/26
(PRINT NAME) Jason Scott Hise	

STATEMENT OF UNDERSTANDING

I, Jason Scott Hise (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: 1/8/26
(PRINT NAME) Jason Scott Hise	

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

Meeting Date: February 24, 2026

Agenda Item #: C-8

Action Requested: Conditional Use – Commercial Office Warehouses

Location of Property: 1011 Walker Gray Court

Property Owner(s): Jason Scott Hise

Current Land Use: Contractor Office Warehouse

Current Zoning: C-3

**Surrounding Zoning Districts
And Land Uses:**

North	R-5M	Residential
South	C-3	Commercial Office Warehouse
East	R-5M	Undeveloped
West	C-3	Undeveloped

Proposal

In 2023, the applicant received conditional use approval for a proposed office warehouse development for contractors' offices on two lots in a C-3 zoning district with outside storage. Mr. Hise has constructed the smaller building on the South lot (1025 Walker Gray Court). The applicant is requesting conditional use approval for a proposed office warehouse development on 1011 Walker Gray Court in a C-3 zoning district. The applicant's business (Hise Contracting-forestry and land management, 1033 Walker Gray Court) is adjacent to the proposed development. The development consists of nine office warehouse units on the north side lot (30,500 sf) and two office warehouse units on the south side lot (31,000 sf) that are leased to tenants. Each of the nine units are 1,066 sf (26.6'x 40'). The two building units on the south side lot are 3,000 sf each (50'x 60'). An office warehouse use is leased to contractors that primarily work at job sites but need warehouse space and a small office; the units could also be leased to a business that provides services at the customer's business location, not the office warehouse.

The site plan shows two adjacent lots that total 1.5 acres. The property line dividing the two lots is located along the edge of a driveway; the driveway is on the north lot, providing nine tenant units access to Walker Gray Court. The two building units on the south lot also use the same driveway to Walker Gray Court.

The site plan provides 24 parking spaces for the nine building units on the north lot and 12 parking spaces provided for the two tenant units on the south lot. At least two handicap parking spaces must be included. Also, extra parking spaces may be available inside the warehouse space for some businesses. For office warehouse use, walk-in customers without an appointment will probably not be accommodated; instead, customers in need of an office warehouse type business will make an appointment to discuss their project. The parking spaces provided for the north and south building units are adequate for office warehouse and other businesses that do not require walk-in customers. However, if walk-in customers are common with a proposed use, then parking may not be adequate to approve the business license. The proposed building units on the north and south lots meet the minimum building setbacks for this C-3 zoned property (30' front yard, 25' side yard on street, 10' side, 30' rear).

The landscape plan meets minimum requirements concerning base and parking lot points. Base points (151) and parking lot points (36) for the 65,500-sf development total 187 points required. The landscape plan shows a total of 228 points. Three landscape islands and two planting areas near the parking lot contain the parking lot points. Base points are met with trees and shrubs near Walker Gray cul-de-sac and the evergreen trees planted for a residential buffer. The impervious surface of the 1.5-acre lot is only 47%.

A residential zoning district (R-5M) is adjacent to the applicant's property along the east and north property lines. A residential buffer is shown on the plan as required from the options below, with a 6-foot-high opaque 'wooden fence' and green giant arborvitae trees. The trees must be spaced 3 to 10 feet apart, depending on the variety of green trees, not 12 feet on center as stated on the plan.

The exterior wall material will match the applicant's existing adjacent building at 1033 and 1025 Walker Gray Court (*photo on page 4*). The exterior walls are architectural metal on all sides; the lower 3-foot portion of the front wall facing Walker Gray Court will be stone or brick.

A private dumpster is shown on the south lot in the rear yard on the gravel outside the storage area. The dumpster is directly behind a building and a few feet from the rear property line; the rear property

line is 300 feet from Walker Gray Court. Staff believes the dumpster will not be visible from Walker Gray Court. If a dumpster can be seen from Walker Gray, then a dumper enclosure is required.

The development is adjacent to an undeveloped residential zoning district. The property owner is aware that the brightness of outdoor lighting must not exceed 1 foot-candle at a property line.

Staff recommends conditional use approval subject to the following:

1. Outside storage allowed in a 6,000-sf area only as provided on the site plan. Inoperable vehicles, equipment, or scrap material are prohibited in the outside storage area.
2. The chain link fence must not have barbed wire or razor wire if visible from Walker Gray Court.
3. Outdoor lighting must not exceed 1 foot candle at the property line.
4. The residential buffer trees selected (green giant arborvitaes) must be spaced 3 to 10 feet apart, depending on variety and installed size must be spaced in a manner which after 3 years will provide an impervious visual buffer. The buffer should extend the entire length of the northern and east lot line.



Engineering Department Report

No Report at this Time.

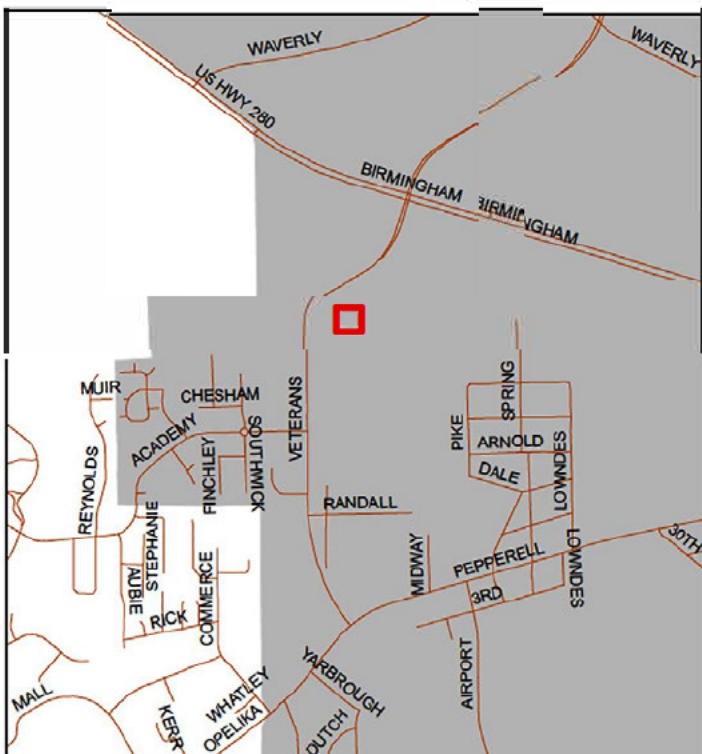
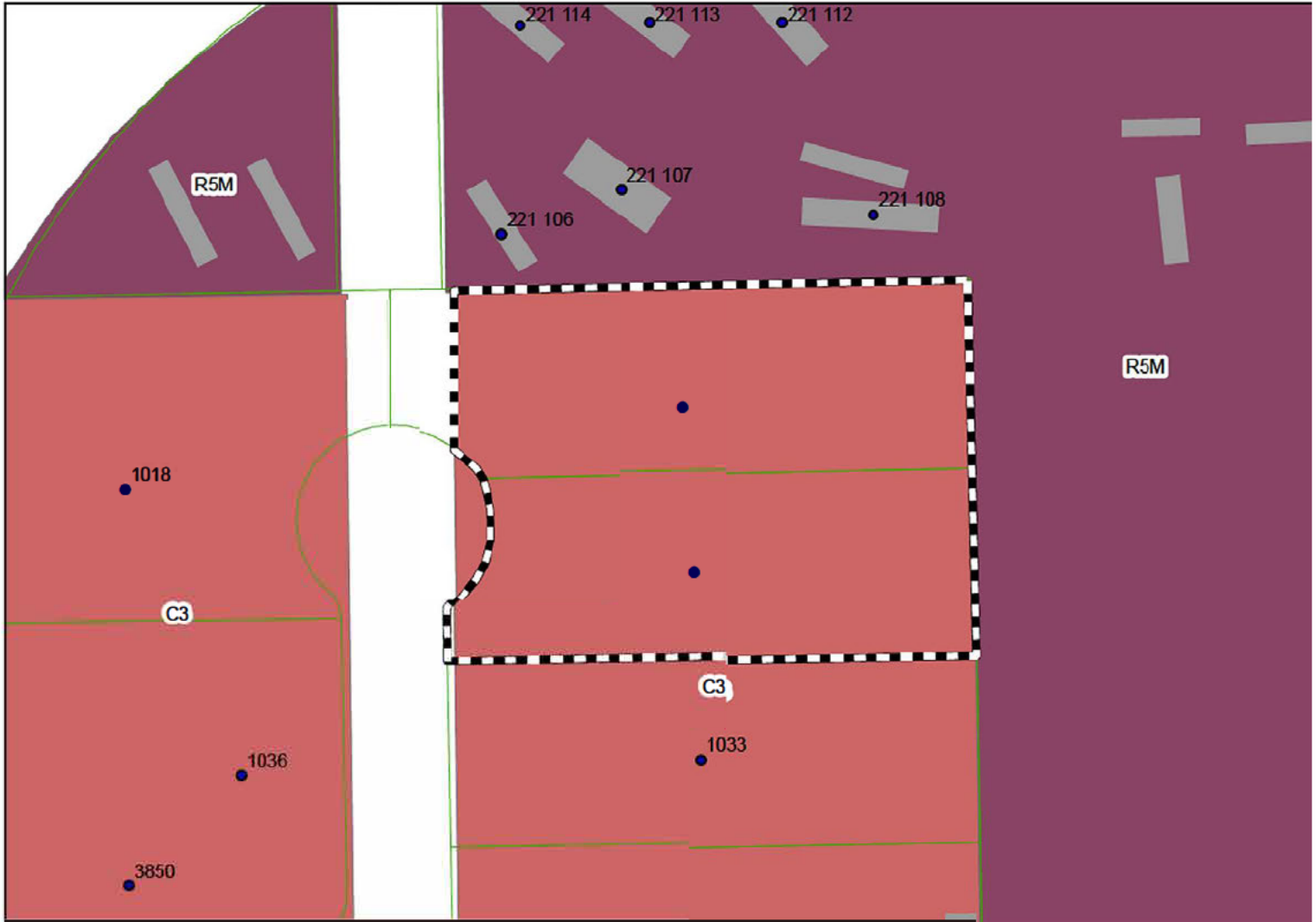
Opelika Utilities Board Report

No Report at this Time.

Opelika Power Services Report

No Report at this Time.

**JASON HISE - TWO COMMERCIAL WAREHOUSES
1011 AND 1025 WALKER GRAY COURT
CONDITIONAL USE, C-5**



The applicant is requesting approval to construct a 6,000 sf and a 9,600 sf warehouse. The property is in a C-2, GC-S zoning district.



Subject Property

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HISE DEVELOPMENT

LANDSCAPE PLAN

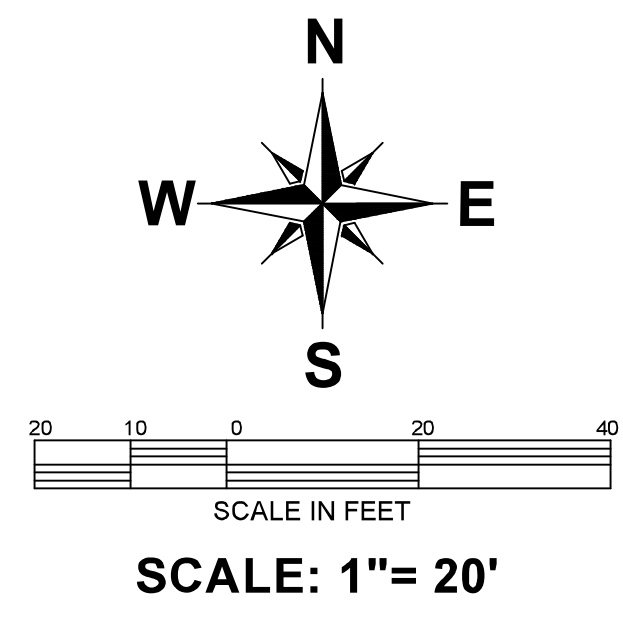


INFORMATION TABLE

LOT SIZE	65,619.7 S.F. (1.51 AC.±)
RES. BUFFER	YES
BASE POINTS REQUIRED	151
BASE POINTS PROVIDED	207
PARKING LOT POINTS REQUIRED	34
PARKING LOT POINTS OBTAINED	47
TOTAL POINTS REQUIRED (LESS RES. BUFFER)	185
TOTAL POINTS OBTAINED (LESS RES. BUFFER)	254

LEGEND

SYMBOL	NAME	SIZE	NO.	POINTS
	WINTERGREEN BOXWOOD	1 GAL	30	30
	LOROPETALUM	3 GAL	10	10
	INDIAN HAWTHORN	1 GAL	28	28
	ENCORE AZALEAS (AUTUMN IVORY AND AUTUMN TWIST)	3 GAL	3	3
	VARIEGATED JUNIPER	1 GAL	24	24
	SOUTHERN WAXMYRTLE	1.5" CAL	6	30
	CRAPE MYRTLE (NATCHEZ MUSCOGEE)	1.5" CAL	3	15
	RIVER BIRCH	1.5" CAL	2	16
	SHUMARD OAK	1.5" CAL	4	32
	GREEN GIANT ARBORVITAE	3 GAL	2	18
	EXIST. 30" OAK	30"	2	50
TOTAL POINTS				254



REVISION

NO.	DATE	APPR.

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DESIGNED: ARN
DRAWN: DMC
DATE: 05/02/23
JOB NO: BS1723.01

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

BASELINE
SURVEYING & DESIGN, LLC



1033



CCI SECURITY



Agenda Item

D-9

Rezoning

598 Dunlop Drive

From R-1 to R-3 & R-2

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

Meeting Date: February 24, 2026

Agenda Item #: D-9

Action Requested: Rezoning Request, 21.6 Acres

Location of Property: 598 Dunlop Drive

Property Owner(s): Dunlop Family Investments LLC
Josh Mura, Samford Group LLC authorized representative

Current Zoning: R-1

Proposed Zoning: R-2 and R-3

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-1 & R-3	Undeveloped & single-family home
	South	R-3 & R-5	Single family home & apartments
	East	R-2	Single family homes
	West	R-3	Single family homes

Rezoning

The applicant is requesting to rezone 21.6 acres from R-1 to a R-2 and R-3 zoning district. In the R-2 zone, a minimum 15,000 square foot (sf) lot is required; in the R-3 zone the minimum lot size is 10,000 sf. The applicant has provided plans to construct single family homes: 21 lots zoned R-3 at a minimum 10,000 sf and 11 lots zoned R-2 at a minimum 15,000 sf.

The applicant has provided a draft preliminary plat (in PC packet) for a future Planning Commission meeting for the 33 single-family home lots if the rezoning from R-2 and R-3 zone is approved by City Council. The plat shows eleven R-2 zoned lots that range from 17, 234 sf to 40,178 sf. The eleven proposed lots are accessed from White Road. (If the R-2 rezoning request is approved and a plat is provided, a turn-around must be shown on the plat providing an emergency vehicle turnaround for fire trucks on White Road.)

If the rezoning from R-1 to R-3 is approved, then the proposed 21 lots zoned R-3 would exceed 10,000 sf. The R-3 lots will be accessed from Dunlop Drive. Dunlop Drive is accessed from Waverly Parkway and then Dunlop Drive ends at the proposed R-3 rezoning property (see draft

preliminary plat). This would potentially extend Dunlop Drive from Rustic Street to the proposed Waverly Wood Subdivision. Existing adjacent properties on the west and south sides of the proposed R-3 rezoning property are zoned R-3. There are 16 adjacent lots zoned R-3 on the west and south sides of the proposed R-3 rezoning property. The 16 adjacent lots with a single-family home on each lot are at least 10,000 sf (minimum lot size for a R-3 zone is 10,000 sf). The R-3 area would be approximately 7.1 acres, and the R-2 area would comprise approximately 14.5 acres.

The Land Use Plan in the 2040 Comprehensive Plan designates the 21.6-acre rezoning property as ‘single-family neighborhood.’ This designation consist primarily of single-family homes on lots about the same size, but also attached single-family homes (townhomes and duplexes) may be appropriate on the outside edge. The Land Use Plan also assigns the single-family neighborhood designation to a larger area north, east and west of the rezoning property that crosses over Veterans Parkway.

Staff Recommendation

There are existing single-family homes in R-2 and R-3 zoning districts with 10,000 sf and 15,000 sf lots that are adjacent to the 21.6-acre rezone property. The proposed lot sizes and single-family land use proposed for the rezoning property is compatible with the existing homes and adjacent R-2 and R-3 zoning districts. **Staff recommends Planning Commission send a positive recommendation to the City Council to rezone a portion of the 21.6 acre from R-1 to R-2 and a rezone a portion from R-1 to R-3 as shown on the draft preliminary plat.**

Engineering Department Report

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

Opelika Water Board

Water service is available from 12” main on the northern/eastern side of US Hwy 280.

Opelika Power Services

This is outside of the Opelika Power service territory.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 24, 2026

Agenda Item #: D-9

Action Requested: Rezoning Request, 21.6 Acres

Location of Property: 598 Dunlop Drive

Property Owner(s): Dunlop Family Investments LLC
Josh Mura, Samford Group LLC authorized representative

Current Zoning: R-1

Proposed Zoning: R-2 and R-3

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-1 & R-3	Undeveloped & single-family home
	South	R-3 & R-5	Single family home & apartments
	East	R-2	Single family homes
	West	R-3	Single family homes

Rezoning

The applicant is requesting to rezone 21.6 acres from R-1 to a R-2 and R-3 zoning district. In the R-2 zone, a minimum 15,000 square foot (sf) lot is required; in the R-3 zone the minimum lot size is 10,000 sf. The applicant has provided plans to construct single family homes: 21 lots zoned R-3 at a minimum 10,000 sf and 11 lots zoned R-2 at a minimum 15,000 sf.

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preliminary plat). This would potentially extend Dunlop Drive from Rustic Street to the proposed Waverly Wood Subdivision. Existing adjacent properties on the west and south sides of the proposed R-3 rezoning property are zoned R-3. There are 16 adjacent lots zoned R-3 on the west and south sides of the proposed R-3 rezoning property. The 16 adjacent lots with a single-family home on each lot are at least 10,000 sf (minimum lot size for a R-3 zone is 10,000 sf). The R-3 area would be approximately 7.1 acres, and the R-2 area would comprise approximately 14.5 acres.

The Land Use Plan in the 2040 Comprehensive Plan designates the 21.6-acre rezoning property as ‘single-family neighborhood.’ This designation consist primarily of single-family homes on lots about the same size, but also attached single-family homes (townhomes and duplexes) may be appropriate on the outside edge. The Land Use Plan also assigns the single-family neighborhood designation to a larger area north, east and west of the rezoning property that crosses over Veterans Parkway.

Staff Recommendation

There are existing single-family homes in R-2 and R-3 zoning districts with 10,000 sf and 15,000 sf lots that are adjacent to the 21.6-acre rezone property. The proposed lot sizes and single-family land use proposed for the rezoning property is compatible with the existing homes and adjacent R-2 and R-3 zoning districts. **Staff recommends Planning Commission send a positive recommendation to the City Council to rezone a portion of the 21.6 acre from R-1 to R-2 and a rezone a portion from R-1 to R-3 as shown on the draft preliminary plat.**

Engineering Department Report

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

Opelika Water Board

Water service for Lots 13-34 is available from an 8” hang off on the eastern side of Dunlop Dr north of Rustic Street. Water service for Lots 1-12 is available from a 6” main on the eastern side of White Rd.

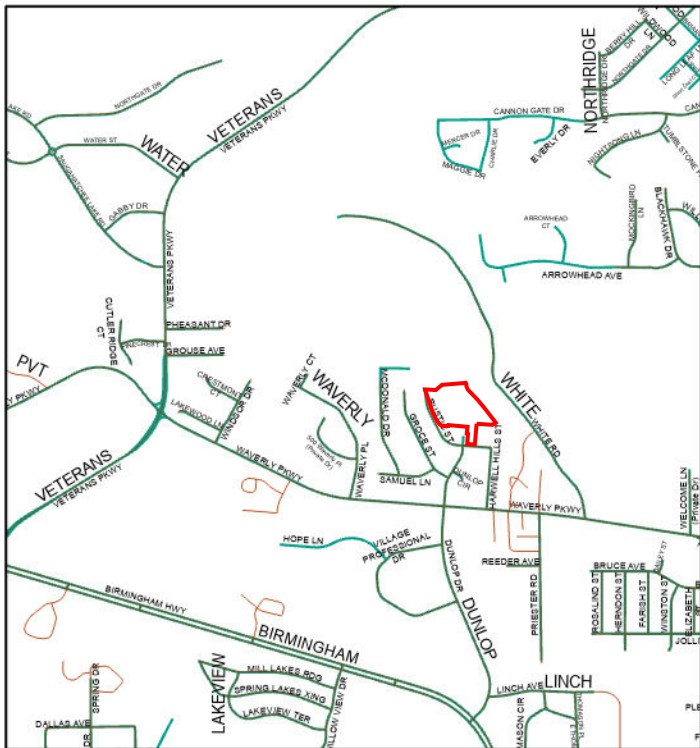
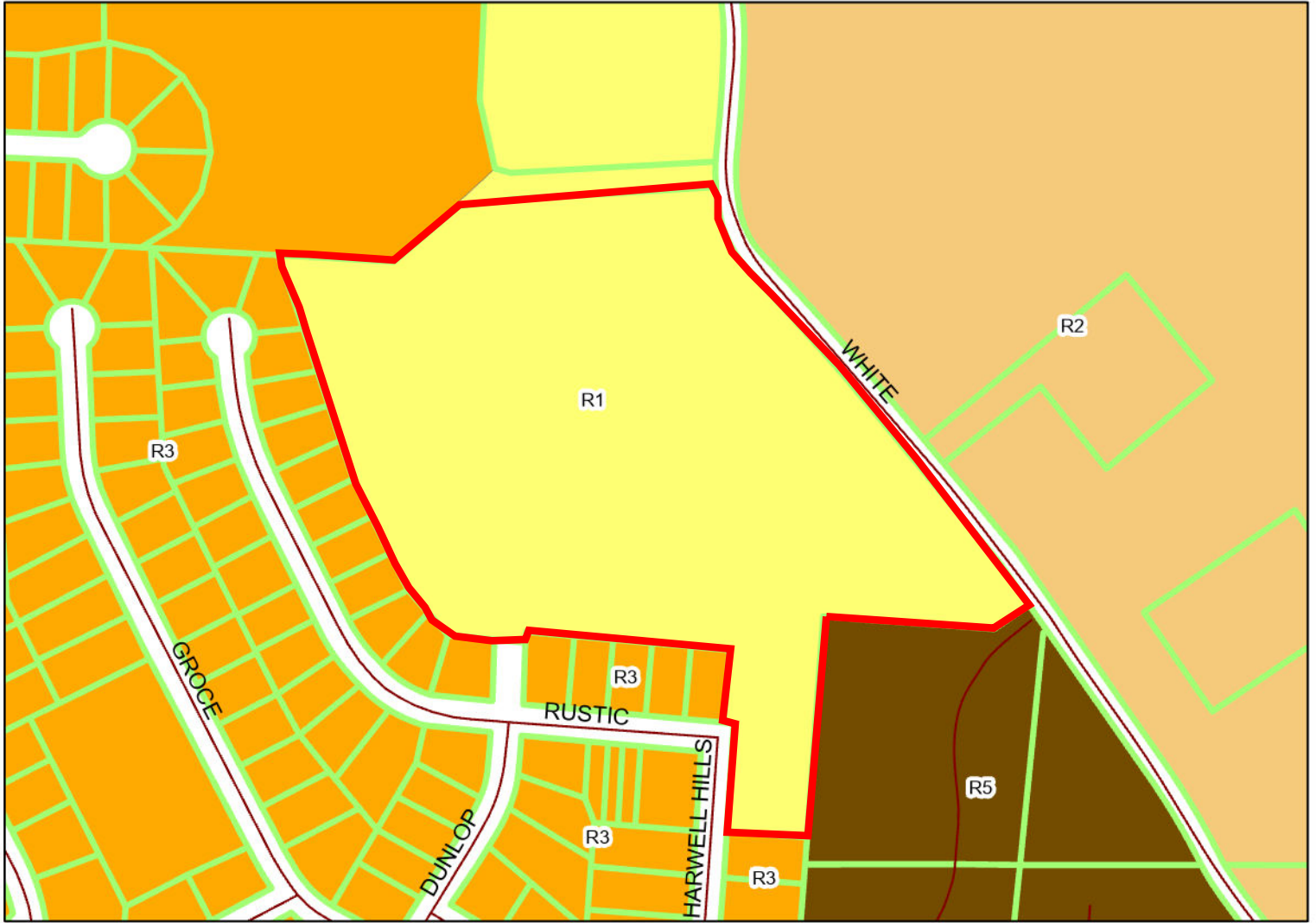
Opelika Power Services

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

POND VIEW WOODS REZONING REQUEST

598 DUNLOP DRIVE

R-1 TO R-2 and R-3, D-8



The applicant is requesting rezoning 216 acres from R-1 (rural) to R-2 & R-3 zone for single family homes. 12 lots are R-2 at 15,000 sf minimum and 22 lots are R-3 at 10,000 sf. A 3.6 acre open space with pond is between the two rezoning districts.



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



WAVERLY WOODS DEVELOPMENT

EXISTING POND
OPEN SPACE
3.67 ACRES

RUSTIC STREET

WHITE ROAD

WHITE ROAD

DUNLOP DRIVE

HARBELL HILLS STREET

RUSTIC STREET

SITE INFORMATION:

SITE AREA	
TOTAL SITE AREA:	+/- 21.6 AC.
ZONING INFORMATION:	
JURISDICTION:	CITY OF OPELIKA
EX. ZONING:	R-1
PROP. ZONING:	SPLIT R-2/R-3
R-2 LOT INFORMATION:	
PROPOSED LOTS:	12 LOTS
MIN LOT WIDTH:	80 FT
MIN LOT SIZE:	15,000 SF
FRONT SETBACK:	35 FT.
REAR SETBACK:	30 FT.
SIDE SETBACK:	15 FT.
R-3 LOT INFORMATION:	
PROPOSED LOTS:	22 LOTS
MIN LOT WIDTH:	70 FT
PROP. LOT SIZE:	10,000 SF
FRONT SETBACK:	30 FT.
REAR SETBACK:	25 FT.
SIDE SETBACK:	10 FT.

LOT LEGEND

	R-3 ZONED LOT 10,000 SF	22 LOTS
	R-2 ZONED LOT 15,000 SF	12 LOTS



REV.	DATE	DESCRIPTION

POND VIEW WOODS
DUNLOP DRIVE
CITY OF OPELIKA, LEE COUNTY, AL

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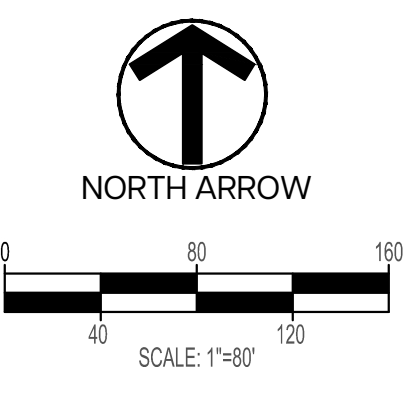
SEAL:

PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION

DESIGN TEAM:

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

SCALE & NORTH ARROW:



JOB NUMBER:	018001
DATE:	1/28/2026

SHEET TITLE:
CONCEPT PLAN

Agenda Item

D-10 a & b

- a) Rezoning Request:** War Eagle Properties
4600 Block Birmingham Hwy, R-2 to C-3, GC-P

- b) Amendment to Land Use Plan:** from Office/Business
Park and Single-Family Neighborhood to Office/Business
Park.

(Public Hearing)



REZONING APPLICATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: ALAN DORR
 MAILING ADDRESS: _____
 PHONE NUMBER: _____

PARCEL INFORMATION

Site Address: 0 US Highway 28W + on Corner Grand National Property 12A
 Description of proposed use: UNKNOWN OWNER WANTS TO SELL

Tax Parcel Number: 43-09-02-09-0-00-001.005

Adjacent Zoning Districts: North: R2+ South: C2+ East: R1 West: C3
C. by Opelika City of Opelika City of Auburn

Current Land Use: VAC
 Current Zoning: R-2
 Proposed Zoning: C3

Number of APO: 11 x \$7.00 = \$ 77
 (Adjacent Property Owners)
 Fee: \$125.00

TOTAL = 202
 PAID: 202

I hereby request my property located at (street address) ?
 Tax Map parcel number 43-09-02-09-0-00-001.005 be rezoned from
R2 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: Alan Dor
 (PRINT NAME) Alan Dor DATE 1-19-2024

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, TONY McLeod, being owner/authorized manager of the rezoning property(s) as described in this Rezoning Application hereby authorize ALAN DORN 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 _____, 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.

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 _____ R-2 zoning district to a _____ C-3 zoning district.

Notary Public

My Commission Expires: _____

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

Meeting Date: February 24, 2026

Agenda Item #: D10a and D10b

Action Requested: Amendment to the Land Use Plan for the 2040 Comprehensive Plan and Rezoning:
(a) Rezoning - from R-2 to C-3, GC-P (113.4 acres)
(b) Amendment to Land Use Plan - from Single Family Neighborhood to an Office-Business Park land use designation.

Location of Property: 4600 block Birmingham Highway

Property Owner(s): War Eagle Properties, LLC
Alan Dorn, authorized representative

Current Zoning: R-2 (low density residential)

Proposed Zoning: C-3, GC-P (general commercial, gateway corridor overlay-primary)

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-2 & I-1	Undeveloped, Wastewater treatment facility
	South	C-2, GC-P	Gas station/Convenience store
	East	I-1 & R-1	Undeveloped
	West	C-3, GC-P	Undeveloped (future Extreme Powersports)

Rezoning

The applicant is requesting to rezone 113.4 acres from R-2 to a C-3, GC-P (general commercial, Gateway Corridor Overlay) zoning district. The property is undeveloped. About 55 acres of the 113.4 acres across the north section of the 113 acres is in a floodplain and will remain undeveloped. The south portion of the property along Highway 280 is buildable; the south portion extends about 1,500 feet from the intersection of Grand National Parkway & Highway 280 near to the Waverly Parkway and Highway 280 intersection. The rezoning property includes the undeveloped northeast corner of the Grand National Parkway and Highway 280 (Birmingham Hwy) intersection. The intersection has a traffic light, and commercial uses exist on three corners. Traffic volume is increasing at the intersection and commercial growth is expected.

Most of the adjacent properties on the north, east, and south sides of the rezoning property are undeveloped except at the intersection of Grand National Parkway and Highway 280. The intersection

includes Shelton Mill Road and Hwy 280 intersection located on the south side of Highway 280 . This intersection has two gas stations and convenience stores (Tiger Express BP gas is at one corner and RaceTrac is across Shelton Mill Road from BP under construction. Two single family home neighborhoods with over 100 lots are near this intersection.

There are C-3, GC-P zoned properties adjacent to the rezoning property. A 10-acre property zoned C-3, GC-P and currently undeveloped is across Grand National Parkway from the subject property. Extreme Powersports (ATVs & motorcycles sales and service) has been submitted for conditional use approval on this corner lot. Adjacent to the Extreme Powersports property is APR (Advanced Performance Racing) on 11 acres that is zoned C-3. GC-P. On the south side across Highway 280 from the rezoning property are properties zoned C-2, GC-P zoning district.

The applicant/property owner does not have a commercial development for the rezoning property. The applicant is requesting a rezoning from a R-2 zone to a C-3, GC-P commercial zone; the adjacent properties are zoned C-3, GC-P. A rezoning to C-3, GC-P zone improves the marketability of the 113 acres. If a C-3, GC-P zoning district is approved, single family homes are outright allowed, and townhomes (attached single family homes) are allowed with conditional use approval.

Staff Recommendation

The rezoning property is adjacent to two 10-acre properties located west of the rezoning property and zoned C-3, GC-P. The properties across Highway 280 from the rezoning property at the corner of Highway 280 and Shelton Mil Road (gas station and convenience stores) are zoned C-2, GC-P (office retail). A large portion of the 113.4 acres rezoning property is in a floodplain and unbuildable.

Planning Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the 113.4 acres from R-2 to C-3, GC-P.

Amendment to the Land Use Map

The 2040 Land Use Plan provides that the 113.4-acre rezoning property is in a “single family neighborhood” land use category. The adjacent 10-acre and 11-acre properties across Grand National Parkway from the rezoning property are in an “office/business park” category as shown on the 2040 Land Use plan.

Staff Recommendation

Staff recommends the 2040 Land Use Plan for the 113.4-acre rezoning property be amended from the “single family neighborhood” land use designation to an “office/business park” designation on the Land Use Plan if a rezoning from R-2 to C-3, GC-P is approved by City Council.

Engineering Department Report

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

Opelika Water Board

Water service is available from 12" main on the northern/eastern side of US Hwy 280.

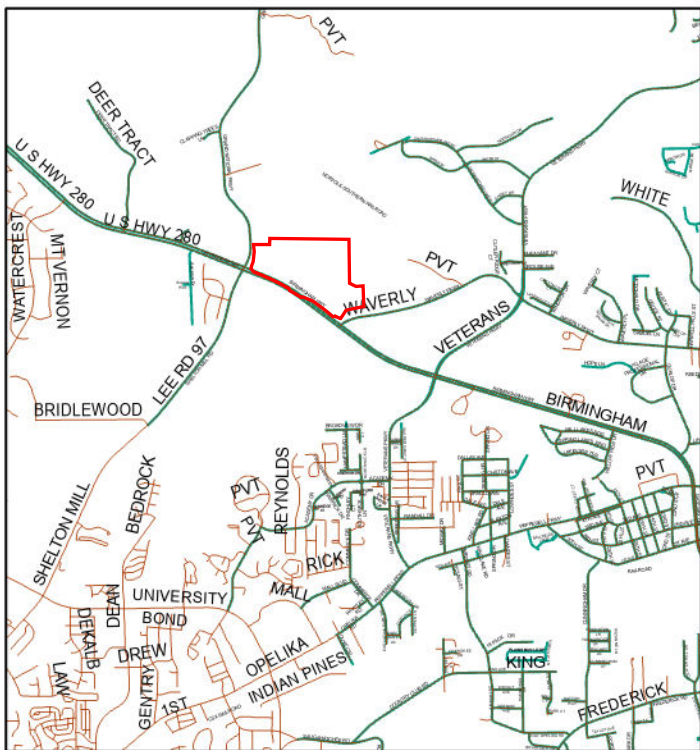
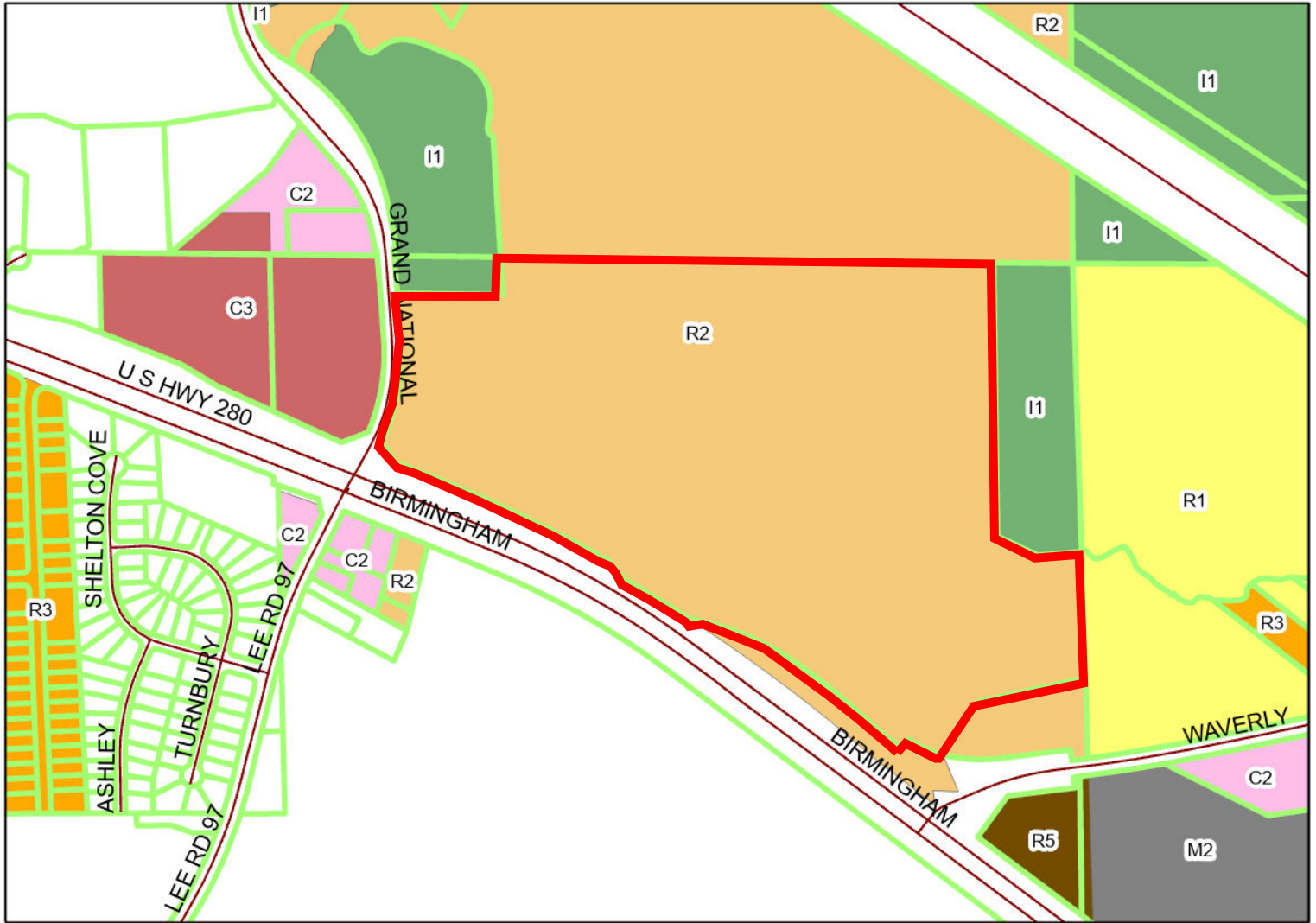
Opelika Power Services

This is outside of the Opelika Power service territory.

WAR EAGLE PROPERTIES REZONING REQUEST

4600 BLOCK BIRMINGHAM HIGHWAY

R-2 TO C-3, GC-P, D-10a, 10b



The applicant is requesting approval to rezone 113.4 acres to general commercial (C-3, GC-P). About 70% of the 113.4 acres is in a floodplain. Commercial development is proposed at the corner of Birmingham Hwy & Grand National Parkway.



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

Agenda Item

E-11

Annexation

223 Lee Road 799

4.6 Acres, R-1 zoning district request

(Public Hearing)



PETITION FOR ANNEXATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

P:(334) 705-5156 F(334) 705-5159
PC DEADLINE: _____ PC MEETING: _____

AGENDA ITEM # _____



SITE ADDRESS: _____

PROPERTY OWNER: Joanne Taylor Powers + John Austin Morgan

APPLICANT: _____

MAILING ADDRESS: _____

PHONE NUMBER: _____

EMAIL ADDRESS: _____

PARCEL INFORMATION

Tax Parcel Number: 030735 0000065000

Street Address: 223 Lee Rd 199

Current Land Use: Residential Proposed Zoning: _____

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

Description of proposed use: _____

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

1. Is this property(s) contiguous with Opelika City limits? _____
2. What is the population of proposed annexed area? _____
3. What is the population by race? ___ White, ___ Black, ___ Hispanic, ___ Asian, ___ Other
4. How many registered voters reside in proposed annexed area? _____
5. Are there any businesses in proposed annexed area? _____
 List type of business and location: _____

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

TOTAL = _____

PAID _____

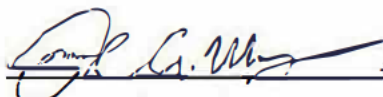
OWNERS SIGNATURE: [Signature] DATE: 1/22/26
 (PRINT NAME) John A. Morgan

REQUIREMENTS.

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

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

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



Signature (owner)

1/22/26

Date

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

STATE OF ALABAMA

LEE COUNTY

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

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

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

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

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

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

RESPECTFULLY SUBMITTED this the _____ day of _____, _____.

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 of _____,

(print name)

(address)

(city, state, zip)

BY: _____
(signature)

ITS: _____
(title)

DATE: _____

Notary Public

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

Jamie Payton Powers

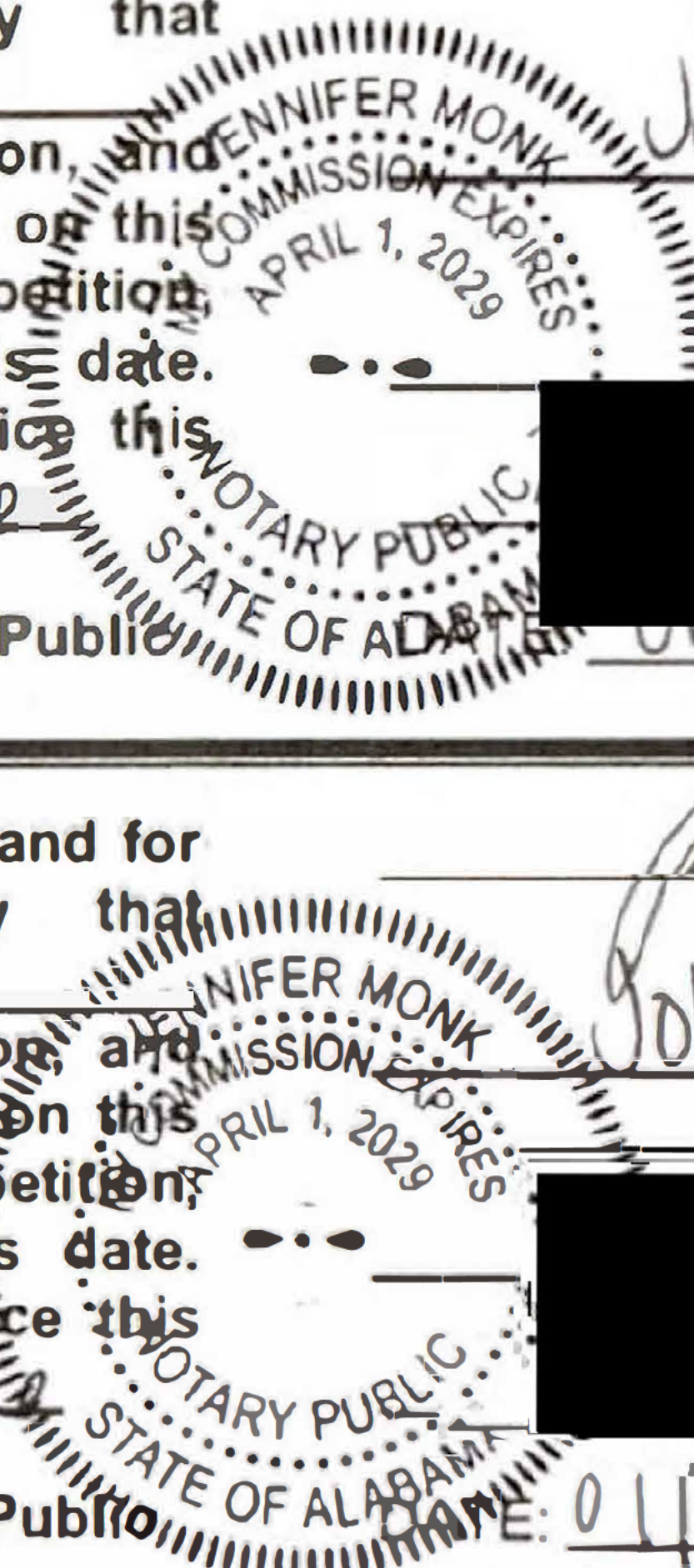
whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,
he/she executed the same voluntarily on this date.

Given under my hand and official seal of office this
21th day of January, 2021

Jennifer Monk
Notary Public

Payton Powers Morger
(Signature)

Jamie Payton Powers
(print name)



(mailing address)

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

John Austin Morger

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
21th day of January, 2021

Jennifer Monk
Notary Public

(Signature)

John Austin Morger
(print name)

(mailing address)

Notary Public

DATE: 01/20/21

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

whose name is signed to the foregoing petition, and
who is known to me, acknowledged before me on this
day, that being informed of the contents of said petition,
he/she executed the same voluntarily on this date.
Given under my hand and official seal of office this
_____ day of _____,

Notary Public

(Signature)

(print name)

(mailing address)

DATE: _____

CITY OF OPELIKA
Planning Commission
Planning Commission Report

Meeting Date: February 24, 2026

Action Requested: Annexation

Agenda Item #: E-11

Location of Property: 223 Lee Road 799 (Andrews Road near I-85 exit 66)

Property Owner: Janie Powers and John Morgan

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1 (Rural District)

Existing Land Use: Residential

Adjacent Zoning/Land Use: North: R-1 and C-2 (Residential)
South: PJ (Residential)
East: PJ (Residential)
West: RE (Undeveloped)

Staff Comments:

The applicant is requesting to annex one 4.6-acre lot. The property, containing a single manufactured home, is located at 223 Lee Road 799 or Andrews Road. This property is at the end of the City Limits on North Andrews Road. The property owners would like their home to be incorporated within the city limits of Opelika to receive the benefits of city services and schools.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The parcel meets the Code of Alabama requirements to petition for annexation.

The Opelika 2040 Comprehensive Plan designates this unincorporated pocket as a Priority 2 area for annexation. This is the Long Term Growth Area for annexation. Annexation of this property would align with the effective use of City infrastructure. Therefore, annexation of this property aligns with the 2040 Comprehensive Plan.

Planning Department recommends the Planning Commission send a positive recommendation to the City Council to annex this property.

Engineering Department Report

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

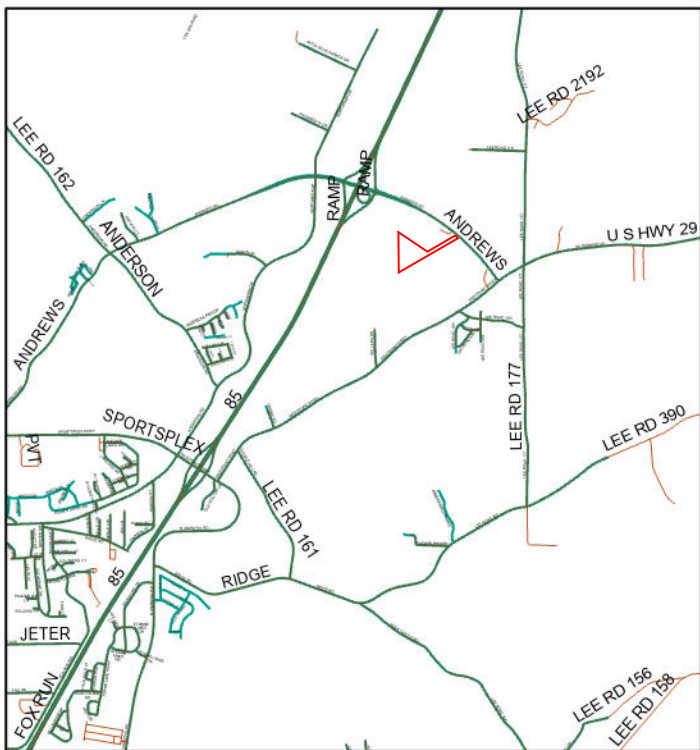
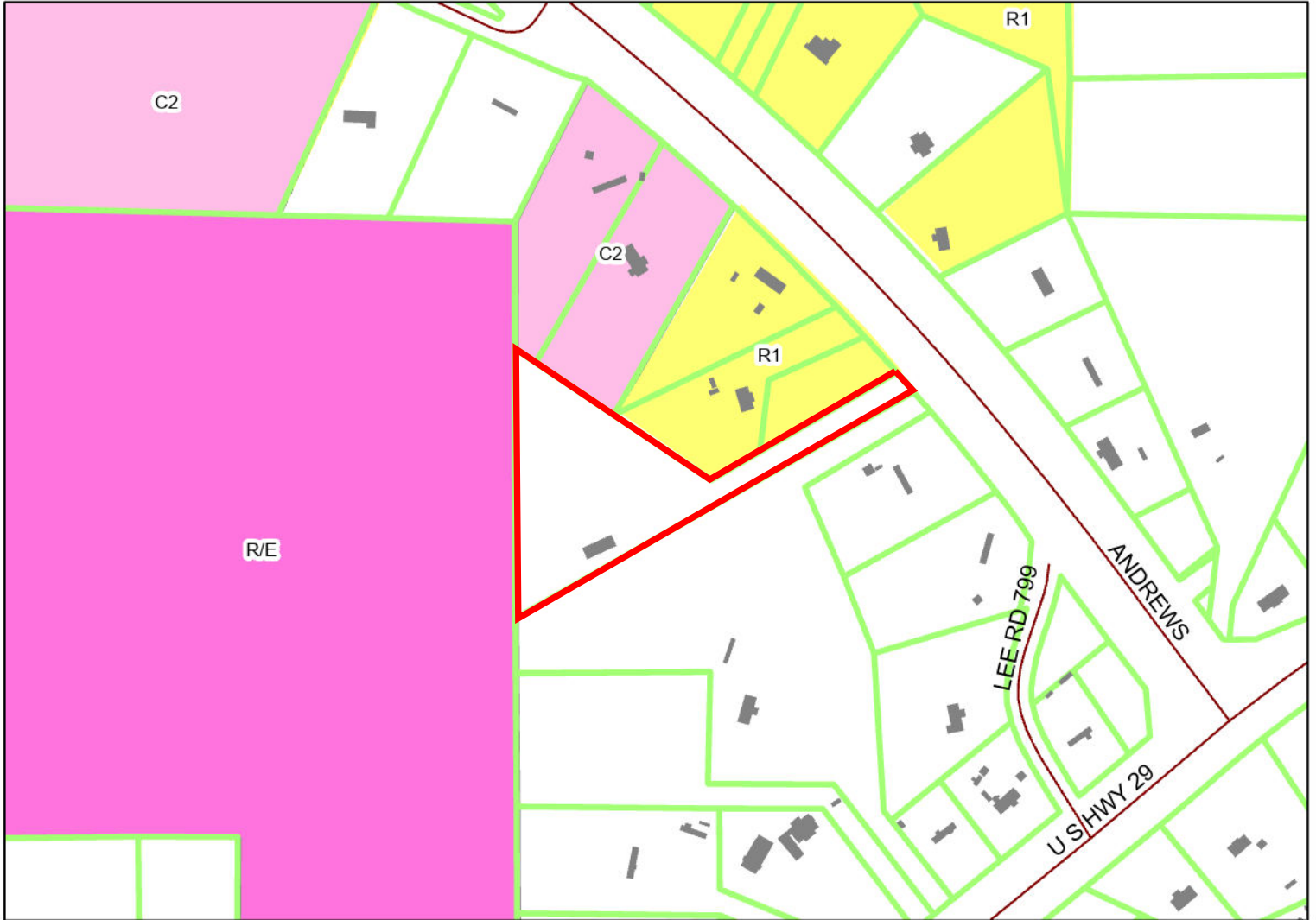
Opelika Water Board

Opelika Water does not serve this site.

Opelika Power Services

This is outside of the Opelika Power service territory.

**ANNEXATION
223 LEE ROAD 799
R-1 ZONING DISTRICT, E-11**



The 4.6 acre annexation property is near the intersection of Andrews Road and Highway 29. A single family home is on the lot.



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

~~Old Business Agenda Item~~

~~F-12~~

~~Conditional Use~~

~~1525 Old Columbus Road~~

~~Leslie Green Dudley~~

~~(Public Hearing)~~

Old Business Agenda Item

G-13

Conditional Use

1500 Block Century Blvd

Richard & James Starr

(Public Hearing)



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 11/19/2025 PC MEETING: 12/16/2025

SITE ADDRESS: 0 Century Blvd.

PROPERTY OWNER: Richard D Starr & James L Starr, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Lee Tharp (Kadre Engineering)

MAILING ADDRESS: 404 Opelika Road, Suite A: Auburn, AL 36830

PHONE NUMBER: 334-315-0239 **FAX NUMBER:** _____

EMAIL ADDRESS: ltharp@kadre-eng.com

PARCEL INFORMATION

Project name: Century Park Address/Location: 0 Century Blvd.

Current Land Use: Vacant/Undeveloped Current Zoning: R5

Adjacent Zoning Districts: North: R3/I1 South: I1 East: C2/R3 West: R5

Description of Proposed Use: Townhome Residential (Conditional Use)

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, James L. Starr, being owner of the property which is the subject of this conditional use application hereby authorize Lee Tharp (Kadre Engineering), to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: [Signature] Date: 10/01/2025

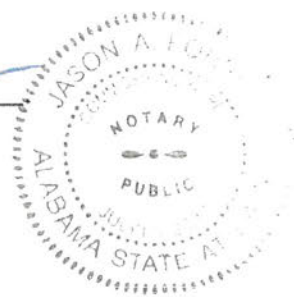
STATE OF ALABAMA, COUNTY OF IFF

I, Jason A Ferbus, a Notary Public in and for said County and State, hereby certify that James L. Starr, 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 10 day of November 2025

Notary Public

My Commission Expires: 7/31/25



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 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? Century Blvd. to the west of the terminus is medium to high density residential with a mix of single family cottage, townhomes, and duplexes.
The proposed use would be a continuation of that use and similar density with an extension of Cen

2) Will the use result in a substantial adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, public infrastructure, etc.? No adverse affects to adjacent properties are anticipated by the development of this project. The proposed use is of a similar use and density to the surrounding developments an

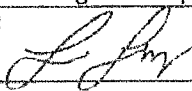
3) What precautions will be taken to minimize any adverse effects from the proposed use on surrounding property owners? The development will comply with the City of Opelika's zoning ordinance for installation of adequate bufferyards, setbacks, and landscaping
Stormwater controls complying with the City of Opelika Engineering requirements will be implemented with the development to prevent any adverse affects of increased impervious area on downstream properties.

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** _____

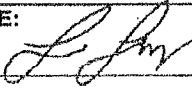
CERTIFICATION

I, Lee Tharp, 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: 10/01/2025
(PRINT NAME) Lee Tharp	

STATEMENT OF UNDERSTANDING

I, Lee Tharp (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: 10/01/2025
(PRINT NAME) Lee Tharp	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 24, 2026

Agenda Item #: G-13 (Old Business)

Action Requested: Conditional Use– 48 Townhome Lots
Tabled at Jan 27th PC meeting.

Location of Property: 1500 block Century Boulevard

Property Owner(s): Richard D. and James L. Starr
Lee Tharp Kadre Engineering), authorized representative

Current Land Use: Undeveloped

Current Zoning: R-5 (pending rezoning from R-3 to R-5, See agenda #7a-7b)

**Surrounding Zoning Districts
And Land Uses:**

North	R-3	Undeveloped
South	I-1	Garden Hills Cemetery
East	R-3	Undeveloped and single family
West	R-5	Duplex apartments (56 units)

The Conditional Use and Preliminary Plat request (agenda items G13 and G14) for 48 townhome lots were tabled at the January PC meeting. The rezoning for the 42.3-acre townhome development was given a positive recommendation by the Planning Commission to City Council. (The request to rezone the property is related to the conditional use, but is still a valid request even if the conditional use does not get approved.) The conditional use and preliminary plat were tabled because a condition for approval required the townhome developer to extend the pavement of Century Boulevard from the townhome development to Frederick Road. Century Boulevard is the only access to the proposed development; Century Boulevard is accessed from Thomason Drive. (Thomason Drive is about ½ mile to the proposed townhome development. The extension of Century Boulevard from the townhome development to Frederick Road would provide a 2nd access way for the 48 townhome lots and improve emergency vehicles response time. Opelika Fire Department has clarified their statements to require access from Frederick Road if this is approved. Below is the conditional use report from the January PC meeting with some noted modifications.

Proposal

The applicant is requesting conditional use approval for 48 townhome units and 6 open space lots on 42.3 acres. All 48 townhome lots front on a new 50' public street called Street A and Street B on site plan. The new streets have access to Century Boulevard. Street A intersects with Century Boulevard. Street B with two cul-de-sacs is accessed from Street A.

Each townhome unit with a front and rear yard space is a lot and sold fee simple. (The next agenda item is a preliminary plat for the townhome lots.) A townhome is two-story, 2,100 square feet with two bedrooms & two bathrooms. The townhome lots are divided into groups: three groups have five units, and four individual groups consist of six, seven, eight, and twelve units in a group.

In the R-5 zoning district requested a maximum of 16 dwelling units per acre are allowed. For the 42.7-acre rezoning area, the density is 1.1 townhome units per acre. A 100-year flood zone is 24 acres of the 42.7-acre rezoning property. If density was figured only from the 10.3-acre townhome development area (including the six open space lots), the density would be 4.6 dwelling units per acre. In comparison, the R-5 zone permits a maximum of 16 dwelling units per acre.

Two parking spaces per townhome lot is required on private property. One parking space is a one car garage (264 sf) attached to each townhome unit; the 2nd parking space is the driveway behind the garage. The driveway space is 25 feet long from the garage to the front property line; a standard parking space is 9 X 18. The driveway space on three cul des sac lots (Lots 34, 35, and 36) is shorter and a vehicle will extend into the right-of-way at least 9 feet. The site plan or townhome needs to be revised so the 2nd parking space is not on the right-of-way.

The Townhome Development Standards require a minimum 20-foot lot width and minimum 1,800 lot size for a townhome unit. Most of the townhome lots are 27 feet wide. The townhome lot widths for a lot at the end of each townhome group is 37 feet wide. A typical lot is 125' long. Most of the townhome lots are 3,375 square feet (sf) (27 X 125). (Three lots on the cul de sac are about 2,700 sf.) but exceed the 1,800-sf minimum lot size. The wider lots at both ends of a group are 4,625 sf (37 X 125). The largest townhome lots are Lot 1 and Lot 33 located at the corner of Century Boulevard and Street A; the lots are 47 feet and 51 feet wide, and 5,800 sf and 6,120 sf respectively.

The 6 open space lots range from 12,600 sf to 46,000 sf. An open space lot is adjacent to most of the townhome lots. Lot 5 is an open space area but also serves as an Alabama Power 100-foot right-of-way.

The minimum setbacks in the R-5 zoning district are 25' front yard, 10' side and 20' rear yard. Minimum separation requirement between townhome groups is 20 feet. Townhome groups are at least 25 feet or more from another townhome group. The minimum front setbacks for Lots 34, 35, and 36 located on the cul de sac are not met.

The minimum yard area requirement for either the front or rear yard is based on 50% of the first-floor area of a townhome. A typical townhome footprint is 1,872 sf. The townhome first-floor area excluding the 264 sf garage is 1,608 sf. $50\% \text{ of } 1626 = 804 \text{ sf}$. The minimum yard area is 804 sf. There are six lots that do not meet the 804 sf - Lots 34, 35, 36, 37, 38, and 39. These lots front on the cul de sac for Street B and require more right-of-way. Also, 4 lots on the cul de sac (Lots 34, 35, 36, and 37) do not meet the front setback.

The townhome exterior materials is almost 100% brick on all sides (elevations in PC packet). The other exterior material is a hardie-plank cement board used for the board & batten style siding above the front gable. These exterior materials are included on the list in Section 7.6 for new buildings in the Gateway Corridor district.

The applicant provided a 'conceptual' landscape plan. If the rezoning is approved by the City Council then a detailed landscape plan showing all plan material will be submitted. *(The applicant explained that the cost of a detailed landscape plan is significant. The applicant is requesting the conceptual plan be acceptable for now, and then if rezoning is approved a more detailed plan showing all plants, and base points and parking lot points will be submitted.* The conceptual plan shows generally where landscaping will be planted, buffer areas, and typical landscaping for a townhome group. The applicant's request is for the Commission to review and approve this general concept for landscaping for now and the approval is subject to a detailed landscape plan submitted to staff for approval if the rezoning is approved.

The conceptual landscape plan shows a buffer along the east property line from Lot 1 to Lot 11 and extends into a portion of the Open Space #3 lot. The buffer screens the townhome development from the adjacent duplex apartments. Also, a buffer is shown adjacent to the Century Boulevard right-of-way on the north and south sides of a Century Boulevard. A buffer is also along the property line of townhome Lot 1, Lot 33, and open space Lot #4. The buffer proposed along Century Boulevard must be the same buffer required for the Gateway Overlay zone – trees spaced according to specie and shrubs planted between trees. The buffer along Lots 1 to 11 must be the residential buffer provide in the Landscape Regulations. The buffer minimizes any visual or light impact that may occur from motorists on Century Boulevard and the side yard area of the townhomes on Lot 1 and 33. (Any

fencing along the side yard of Lot 1 and Lot 33 should be located between the buffer and the side yard.)

A HOA (Homeowners Association) will be established that provides requirements, responsibilities and association fees for the maintenance and replacement of all requirements in the open space lots. HOA documents must provide the allowed uses for the open space lots.

Garbage/trash pick-up is provided by City services. Dumpsters will not be installed.

The life safety code that the City of Opelika has adopted requires that more than 30 lots have more than one access point in case of emergency. The Opelika Fire Department has stated that the development needs a connection to Frederick Road due to the number of units with only one way in and out of Century Boulevard.

Due to this clarification from the Opelika Fire Department, we are modifying the conditions to ensure that the road connection is made with these units.

Staff recommends conditional approval subject to the City Council approving the rezoning of the property from R-3 to R-5 and the following conditions:

1. Provide a sidewalk on both sides of Street A and Street B.
2. All utilities must be installed underground.
3. Provide a landscape plan that meets the base points, parking lot points, and buffer requirement of the Landscape Regulations. The landscape plan must also include the buffers provided in the conceptual plan. The buffers must meet the Gateway Corridor landscape buffers (Section 7.6 Zoning Ordinance) along the side yard of Lot 1, Lot 3 & open space lot #4, and a buffer along Lot 1 to Lot 11.
4. The townhome exterior materials presented at the Planning Commission meeting must be installed on the townhomes.
5. The minimum 25' front setbacks for Lots 34, 35, and 36 located on the cul de sac are not met. Revise the site plan (and plat) so the minimum setbacks are met.
6. Revise the site plan or building footprint so the three parking spaces on cul-de-sac Lots 34, 35, and 36 are on private property not right-of-way.
7. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as established in HOA guidelines.
8. Extend Century Boulevard to the east to Bulloch Court and Frederick Road.

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 extension of Century Boulevard to Frederick Road at Bullock Street will be required for this project.

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

Opelika Water Board

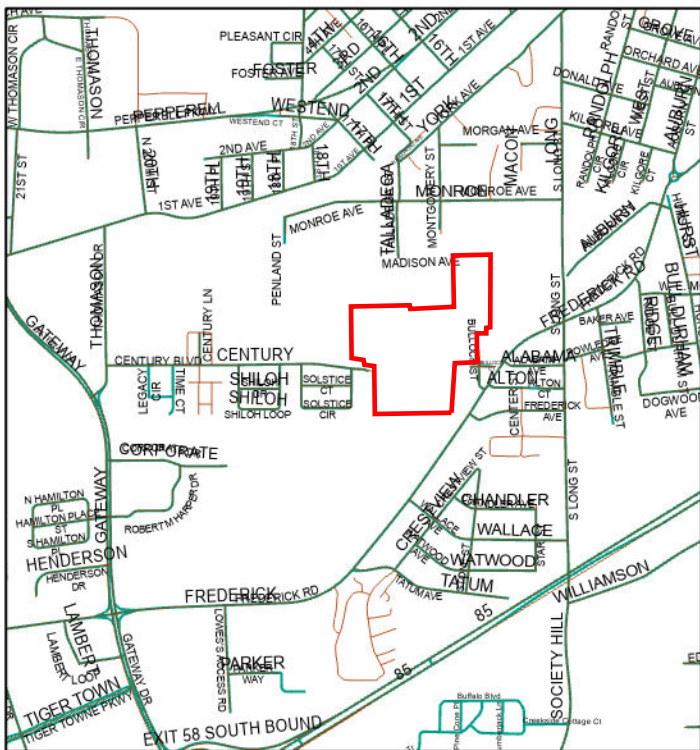
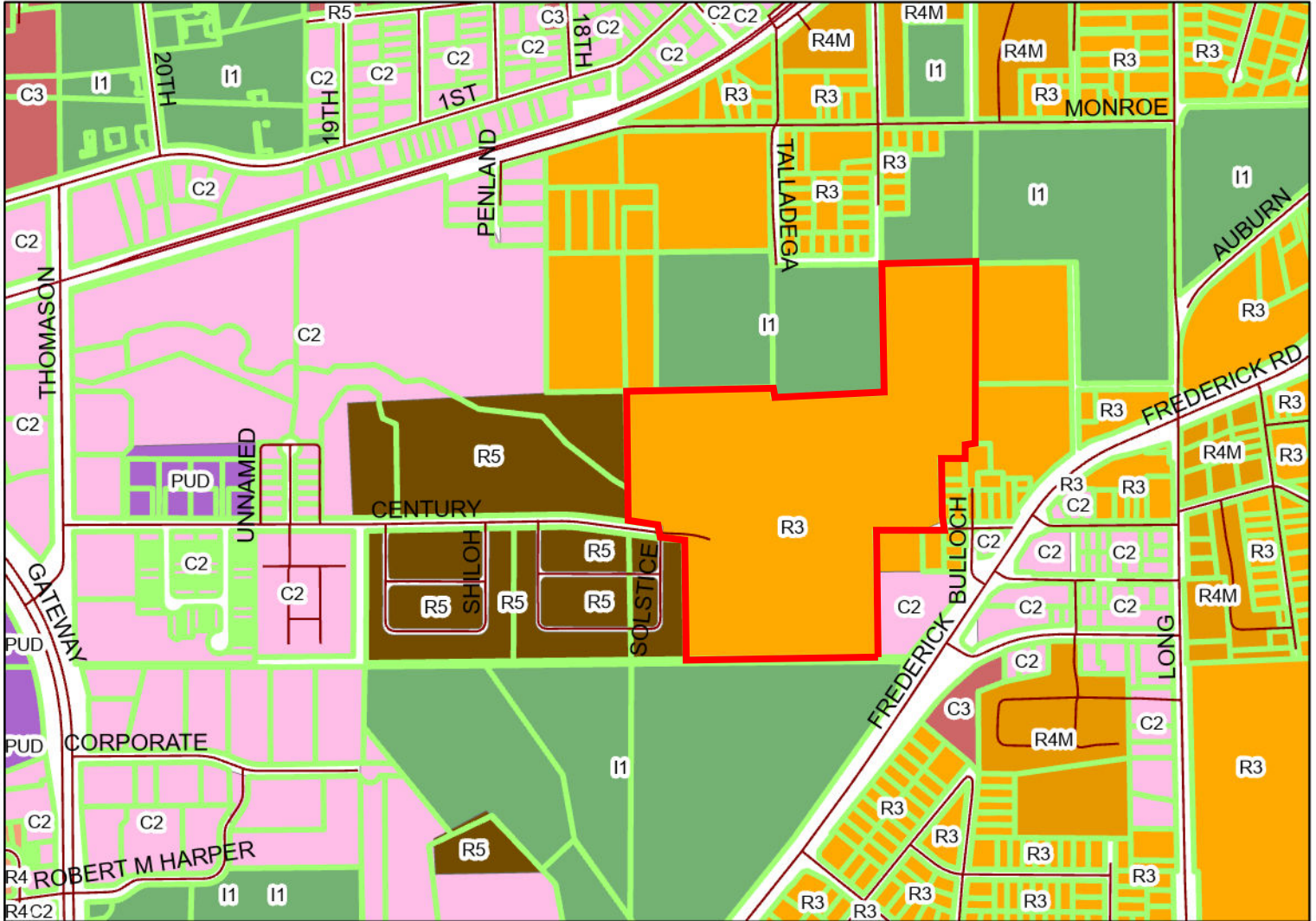
Opelika Water: Water is available from a 12" main on Century Blvd and from an 8" hang-off on Bulloch Ct. on the western side of Bulloch St.

Connections to both mains will be required as part of this development

Opelika Power Services

This is in the Opelika Power service territory.

CENTURY PARK TOWNHOME DEVELOPMENT 1500 BLOCK CENTURY BOULEVARD CONDITIONAL USE and PRELIMINARY PLAT G-13, G-14



The applicant is requesting as in January 2026 conditional use, and preliminary plat approval for 48 townhome lots and 6 open space lots. The townhomes range from 3,233 sf to 6,863 sf and minimum 20' lot width. The PC at the January meeting recommended rezoning approval to City Council.

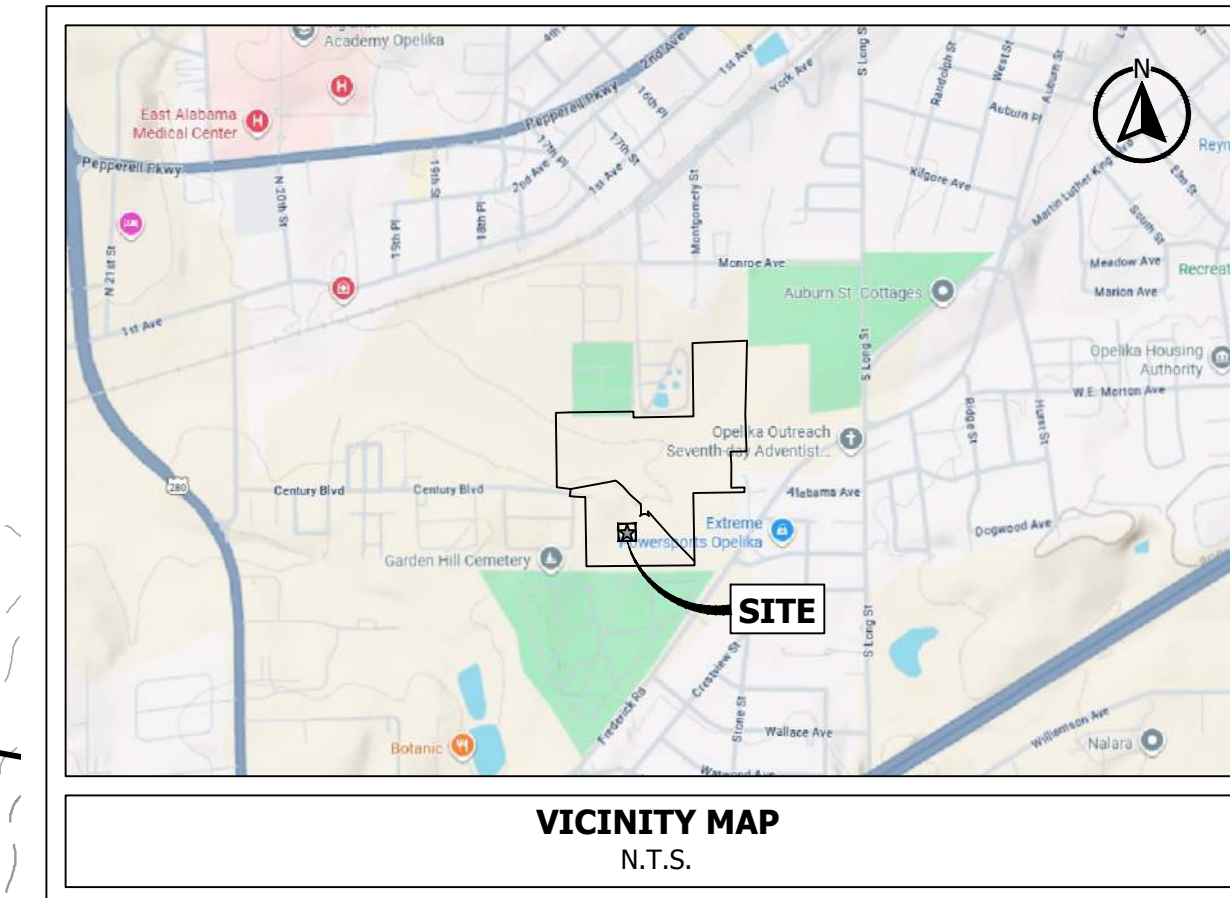


Subject Property

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

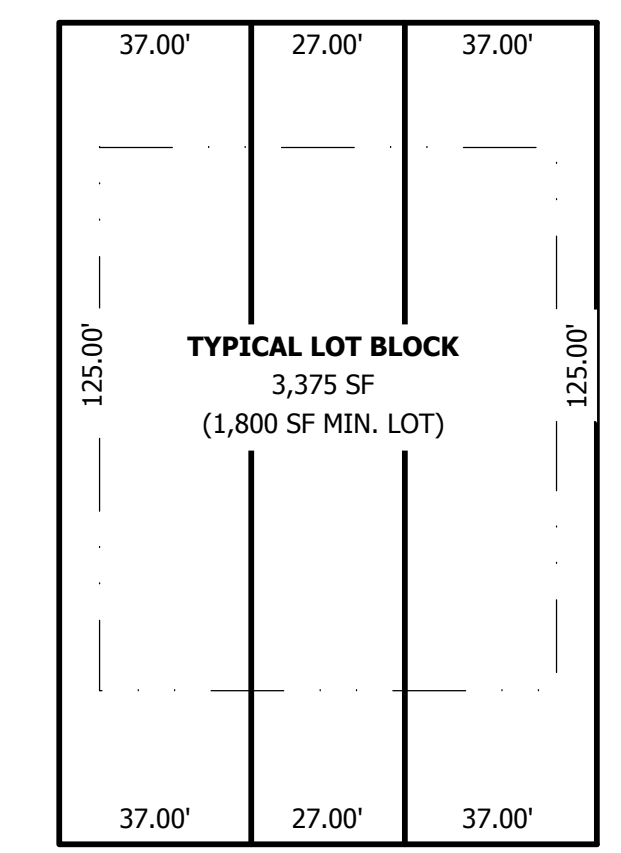
CENTURY PARKWAY SUBDIVISION

OPELIKA, AL

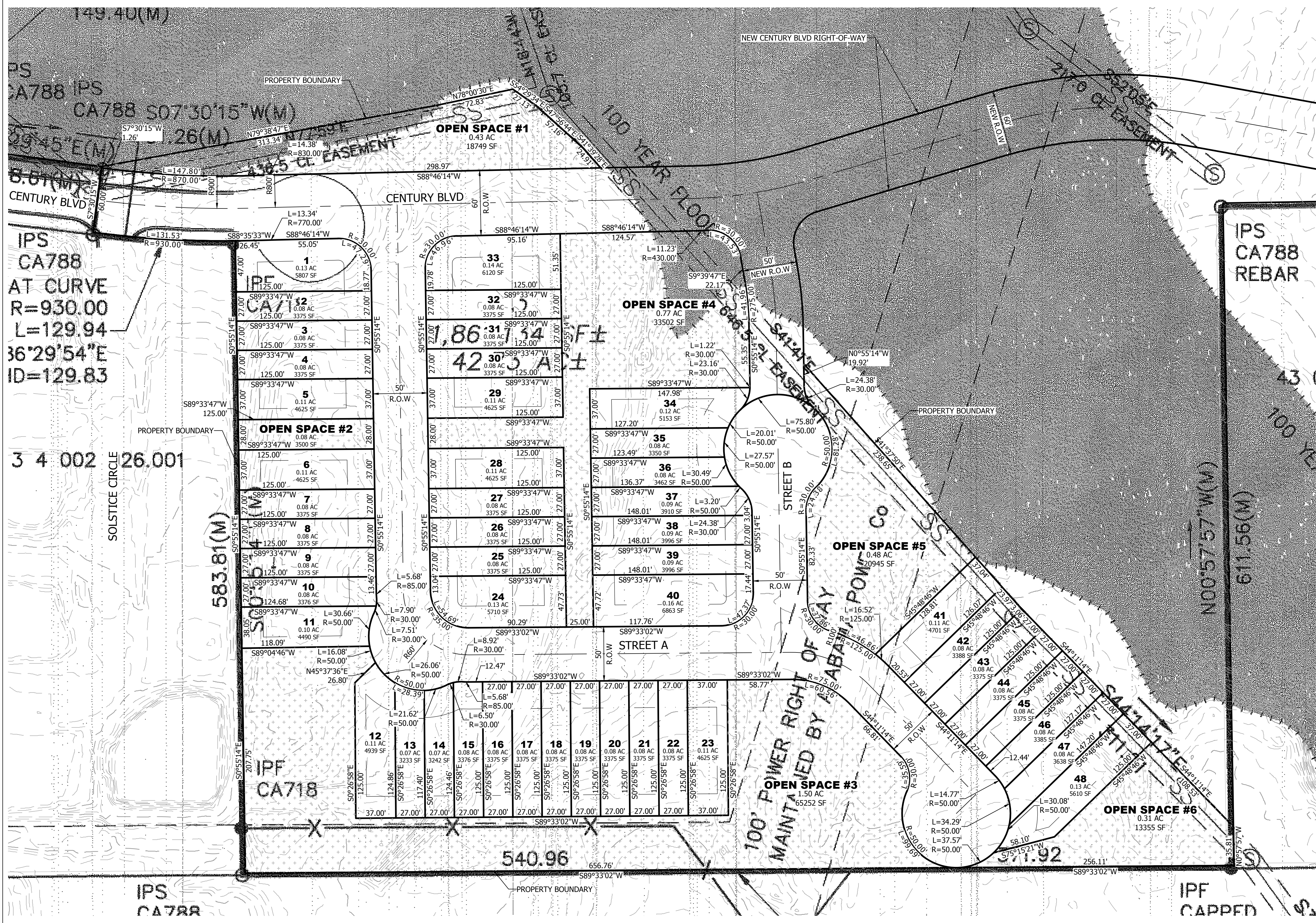


PROJECT CONTACTS:
ENGINEER
 KADRE ENGINEERING
 404 OPELIKA ROAD, SUITE A
 AUBURN, AL 36830

SITE DATA TABLE	
STATE OF ALABAMA COUNTY OF LEE	
EXIST. TAX PARCEL ID:	0906134002026000
SITE AREA:	+/- 42.73 AC
ADDRESS:	0 CENTURY BLVD
ZONING:	R5
MIN. LOT SIZE:	1,800 SF
MIN. LOT WIDTH:	20'
TYPICAL LOT DIMENSIONS:	27' x 125'
YARD SETBACK:	
FRONT:	25'
SIDE:	10'
STREET SIDE:	20'
REAR:	20'
TOTAL LOTS PROPOSED:	48
MAX BUILDING AREA:	60%
DWELLING UNITS PER ACRE ALLOWED:	16 (R5)
DWELLING UNITS PER ACRE PROVIDED:	1.12 LOTS/AC
LF OF ROADWAY	1,673.55 LF
SMALLEST LOT	(LOTS 13) 3,233 SF
LARGEST LOT	(LOT 40) 6,863 SF



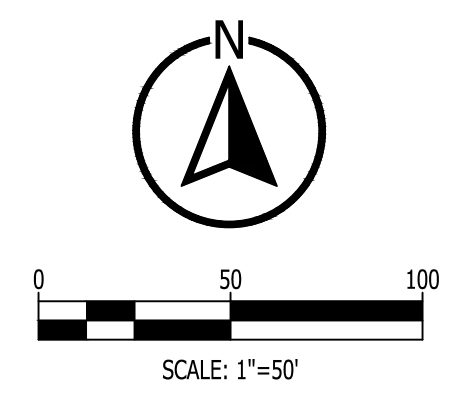
TYPICAL TOWNHOME LOT BLOCK LAYOUT
N.T.S.



NOTES:
 1. ALL PROPOSED LOTS SHALL BE TOWNHOME LOTS CONFORMING TO THE STANDARDS AS DESCRIBED IN THE CITY OF OPELIKA ZONING ORDINANCE AND SUBDIVISION REGULATIONS.

LEGEND

	PROPOSED LOT LINE
	SETBACK LINE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	WETLAND AREA
	OPEN SPACE



PRELIMINARY
NOT FOR
CONSTRUCTION



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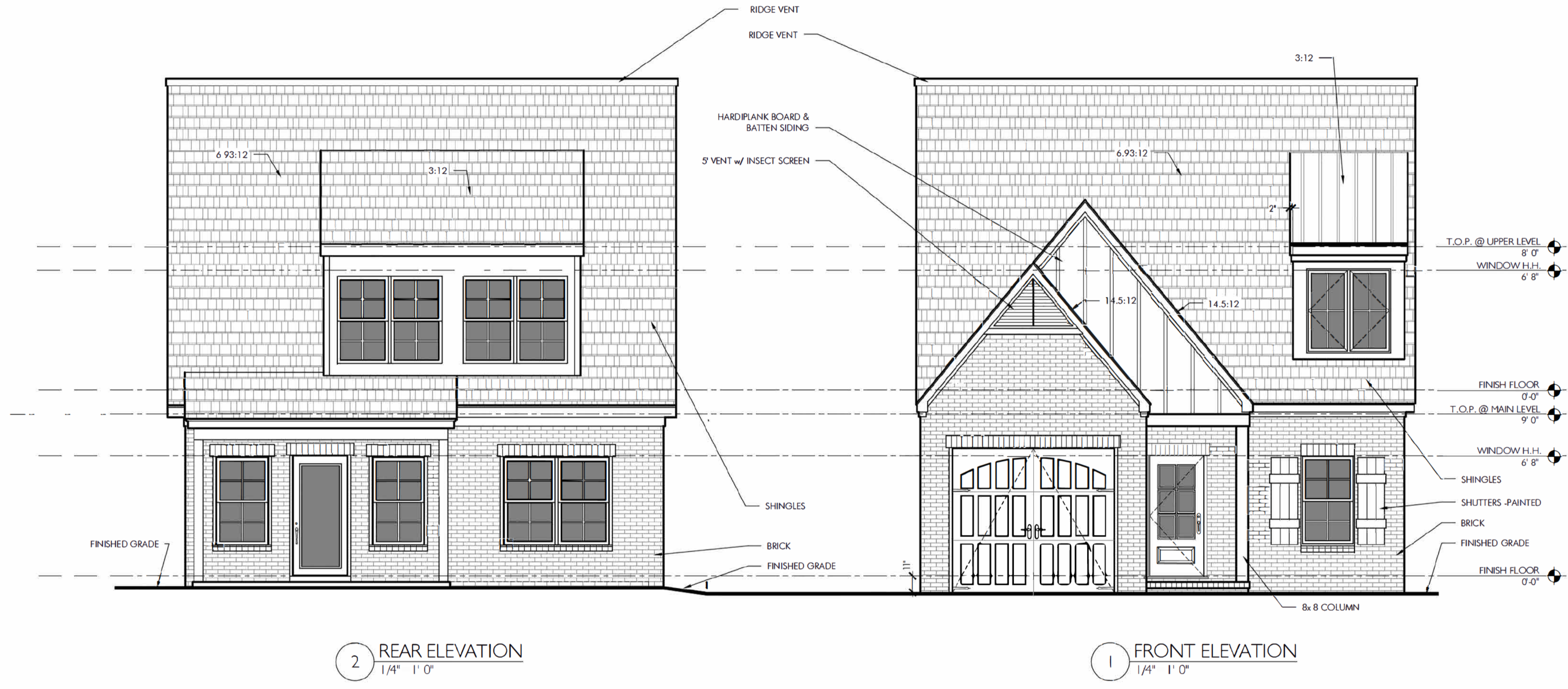
Date	Revision

CENTURY PARKWAY SUBDIVISION
 OPELIKA, AL

SHEET TITLE:
 CONDITIONAL USE
 SITE PLAN

DRAWN BY: CLT
 CHECKED BY: CLT
 DATE: 12/30/2025
 PROJECT NUMBER: 25120
 SCALE: SEE PLAN
 SHEET NUMBER:

C1.1



AREA CALCULATIONS	
CONDITIONED AREA	
MAIN LEVEL FLOOR PLAN	1,419 S.F.
MAIN -TWO CAR GARAGE	1,259 S.F.
BONUS w/ BATH	439 S.F.
BONUS w/ MASTER SUITE	957 S.F.
BONUS w/ BATH, BED 3 & 4	944 S.F.
TOTAL w/ MST.	2,376 S.F.
TOTAL w/ MST. (GAR)	2,216 S.F.
UNCONDITIONED AREA	
PORCH	28 S.F.
GARAGE	282 S.F.
PORCH -TWO CAR GARAGE	64 S.F.
TWO CAR GARAGE	503 S.F.
PATIO	145 S.F.
TOTAL	455 S.F.
TOTAL w/ GARAGE	712 S.F.

CENTURY PARK
OPELIKA, AL

WALL LEGEND	
4" UNFINISHED WALL	[Pattern]
4" INTERIOR WALL	[Pattern]
6" PLUMBING WALL	[Pattern]
6" HOT WALL	[Pattern]
BRICK	[Pattern]
STONE	[Pattern]
CONCRETE	[Pattern]
CMU	[Pattern]

DRAWING INDEX	
ARCHITECTURAL SITE PLAN	
MAIN LEVEL & UPPER LEVEL FLOOR PLAN	
ELEVATIONS	
ELECTRICAL	

02 MARCH 2020

PERMIT SET

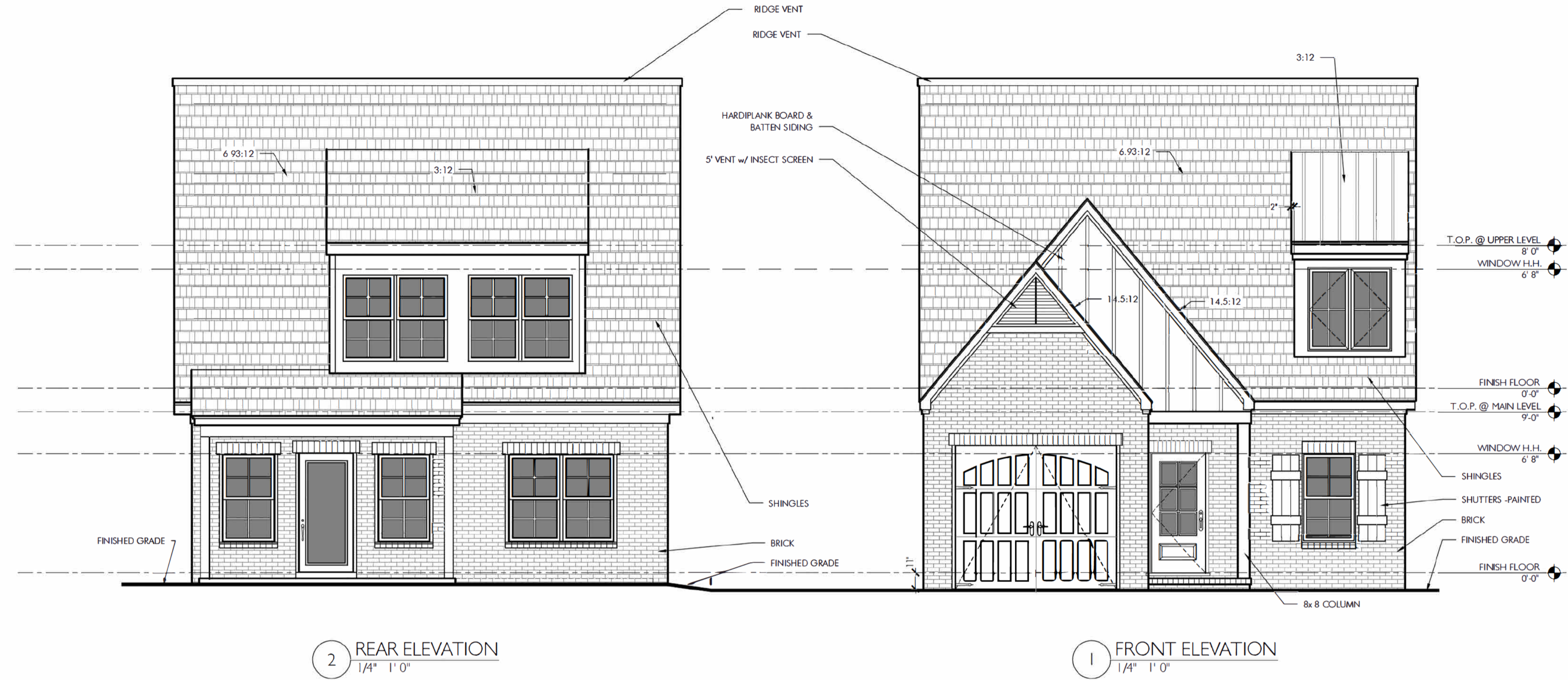
UNIT -03 ELEVATIONS

Tabled at the January 27, 2025 Meeting

PRINTED: 12 November 2019 13:52:26 BY: VOSTOX

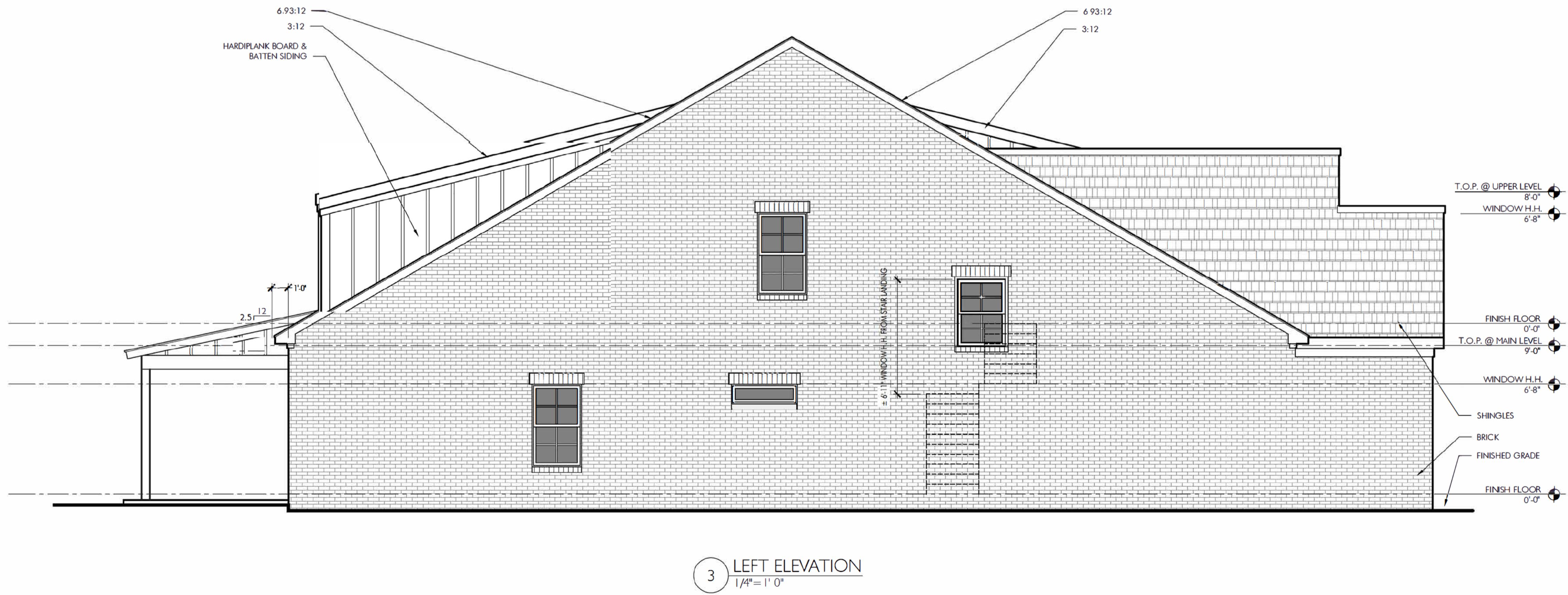
HIS DRAWING IS THE PROPERTY OF DILWORTH DEVELOPMENT, INC. AND IS NOT TO BE REPRODUCED, COPIED OR ALTERED IN WHOLE OR IN PART OR USED WITHOUT THE APPROVAL OF DILWORTH DEVELOPMENT, INC. AND IS TO BE RETURNED UPON REQUEST.

REDUCE REUSE RECYCLE



2 REAR ELEVATION
1/4" = 1' 0"

1 FRONT ELEVATION
1/4" = 1' 0"



3 LEFT ELEVATION
1/4" = 1' 0"



AREA CALCULATIONS

CONDITIONED AREA

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MAIN -TWO CAR GARAGE	1,259 S.F.
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TOTAL	455 S.F.
TOTAL w/ GARAGE	712 S.F.

CENTURY PARK
OPFIKA AT.

WALL LEGEND

4" UNFINISHED WALL	[Pattern]
4" INTERIOR WALL	[Pattern]
6" PLUMBING WALL	[Pattern]
6" HOT WALL	[Pattern]
BRICK	[Pattern]
STONE	[Pattern]
CONCRETE	[Pattern]
CMU	[Pattern]

DRAWING INDEX

ARCHITECTURAL SITE PLAN
MAIN LEVEL & UPPER LEVEL FLOOR PLAN
ELEVATIONS
ELECTRICAL

ELEVATIONS

Old Business Agenda Item

G-14

Preliminary Plat

Century Park Subdivision

Richard and James Starr

(Public Hearing)



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



DEADLINE: 11/19/2025 MEETING: 12/16/2025

SITE ADDRESS: 0 Century Blvd.

PROPERTY OWNER: Richard D Starr & James L Starr, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Lee Tharp (Kadre Engineering)

MAILING ADDRESS: 404 Opelika Road, Suite A; Auburn, AL 36830

PHONE NUMBER: 334-315-0239 **FAX NUMBER:** _____

EMAIL ADDRESS: ltharp@kadre-eng.com

TYPE OF PLAT APPROVAL REQUESTED Preliminary

SKETCH PLAN | ADMINISTRATIVE | PRELIMINARY | FINAL

Does the subdivision require any other official action by the City? Re-zoning, Conditional Use

Annexation | Re-zoning R3 to R5 | Other _____

PARCEL INFORMATION	
Subdivision Name: <u>Century Park</u>	Number of Lots: <u>48</u> x \$3.00 = \$ <u>144</u>
Current Land Use: <u>Vacant/Undeveloped</u>	Number of APO: <u>18</u> x \$7.00 = \$ <u>126</u> (Adjacent Property Owners)
Current Zoning: <u>R5</u>	Fee: <u>\$75.00</u>
Proposed use of the Subdivision: _____ <small>Townhome</small>	TOTAL = <u>345.00</u>
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial	PAID <u>345.00</u>
<input type="checkbox"/> Manufacturing/Industrial <input type="checkbox"/> Office/Institutional	

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Century Park 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) Lee Tharp 10/1/2025
DATE

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

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

Lee Thayer 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 [Signature] Date 11/6/25

STATE OF ALABAMA
COUNTY OF LEE

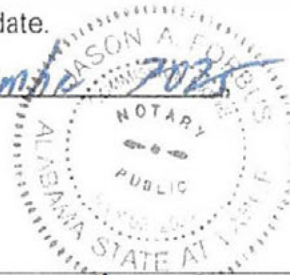
I, Tyson A. Taylor, a Notary Public in and for said County and State, hereby certify

that James L. Starr, 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 10th day of November, 2025

Notary Public

My Commission Expires: 7/3/27



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: February 24, 2026

Agenda Item #: G-14 (Old Business)

Action Requested: Century Parkway SD, Preliminary Plat
Tabled at January 27th PC meeting,

Location of Property: 1500 block Century Boulevard

Property Owner(s): Richard D. and James L. Starr
Lee Tharp Kadre Engineering), authorized representative

Current Land Use: Undeveloped

Current Zoning: R-5 (pending rezoning from R-3 to R-5, See agenda #7a-7b)

Flood Zone: FEMA – Nov 2, 2017 – MAP#01081C0069G – The property contains 100-year Flood Plane (Flood Zones AE) and Zone X per FEMA map panel.

This preliminary plat was tabled at the January PC meeting. The conditional use request for the same property at the January PC meeting was also tabled (see agenda item G13 for the conditional use). The plat was tabled because a condition for approval for the conditional use request required the townhome developer to extend the pavement of Century Boulevard from the townhome development to Frederick Road. Century Boulevard is the only access to the proposed development; Century Boulevard is accessed from Thomason Drive. (Thomason Drive is about ½ mile to the proposed townhome development. The extension of Century Boulevard to Frederick Road would provide a 2nd access way for the 48 townhome lots and improve emergency vehicles response time. Below is the preliminary plat staff report from the January PC meeting. Opelika Fire Department has clarified their statements to require access from Frederick Road if this is approved. Below is the conditional use report from the January PC meeting with some noted modifications.

Proposal

The applicant is requesting preliminary plat approval for a 54-lot townhome subdivision located on Century Boulevard. The project consists of 48 fee-simple townhome lots and six open space lots.

Public street access to 53 of the lots is provided from one of the two proposed 50' public streets shown as Street A and Street B on the plat. Open space lot 1 (17,960-square-feet) on the north side of Century Boulevard has direct access to Century Boulevard. The six open space lots range from 12,600 square feet (sf) to 46,000 sf. All open space lots will be maintained by a homeowner's association.

The life safety code that the City of Opelika has adopted requires that more than 30 lots have more than one access point in case of emergency. The Opelika Fire Department has stated that the development needs a connection to Frederick Road due to the number of units with only one way in and out of Century Boulevard.

The 48 townhome lots exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. A typical lot is 27 x 125; the lots at the ends of each townhome group are 10 feet wider - 37 x 125. The townhome lots with front and rear yard space range from 3,233 square feet to 6,863 sf except for three cul de sac Lots 35, 36, and 37 at 2,665, 2,735, and 2,964 sf. respectively. The townhome requirements include either the front or rear yard of a townhome lot be at least 50% of the first-floor area excluding a garage. A typical townhome footprint is 1,872 sf. The townhome first-floor area excluding the 264-sf garage is 1,608 sf. 50% of 1626 = 804 sf. The minimum yard area requirement is 804 sf. There are six lots that do not meet the 804 sf yard area - Lots 34, 35, 36, 37, 38, and 39. These lots front on the cul de sac for Street B. Also, 4 lots on the cul de sac (Lots 34, 35, 36, and 37) do not meet the 25' front setback.

Due to the clarification from the Opelika Fire Department, we are modifying the conditions to ensure that the road connection is made with these units.

Staff recommends preliminary approval subject to the rezoning from R-3 to R-5 approved and to the following:

1. Sidewalks required on both sides of Street A and Street B.
2. All utilities shall be underground.
3. Revise the plat so the minimum 804 square foot of yard area is met for Lots 34, 35, 36, 37, 38, and 39, and the minimum 25' front setback is met for Lots 34, 35, 36, and 37.
4. Add a note on final plat that the Homeowners Association will maintain the open spaces.
5. Secondary fire access shall be required to the development.
6. Extend Century Boulevard to the east, to Bulloch Court and Frederick Road.

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 extension of Century Boulevard to Frederick Road at Bullock Street will be required for this project.

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

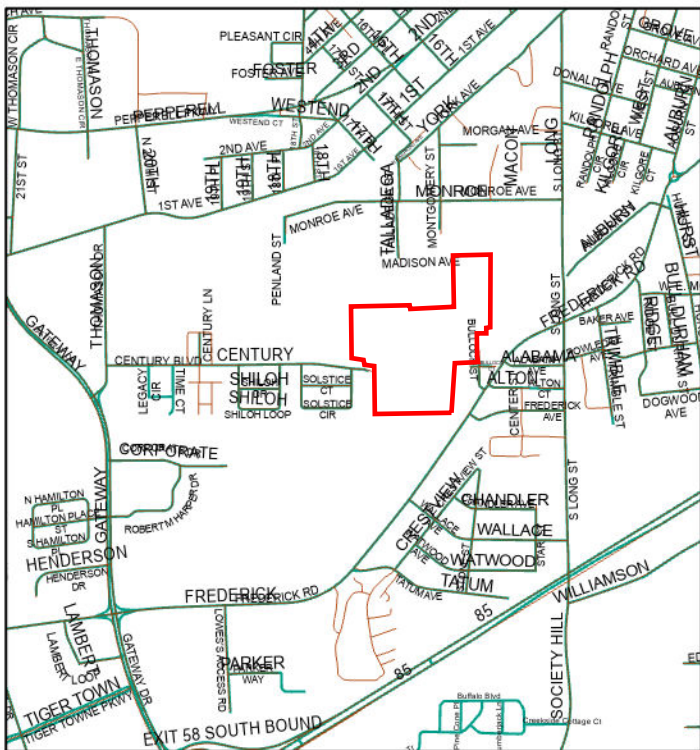
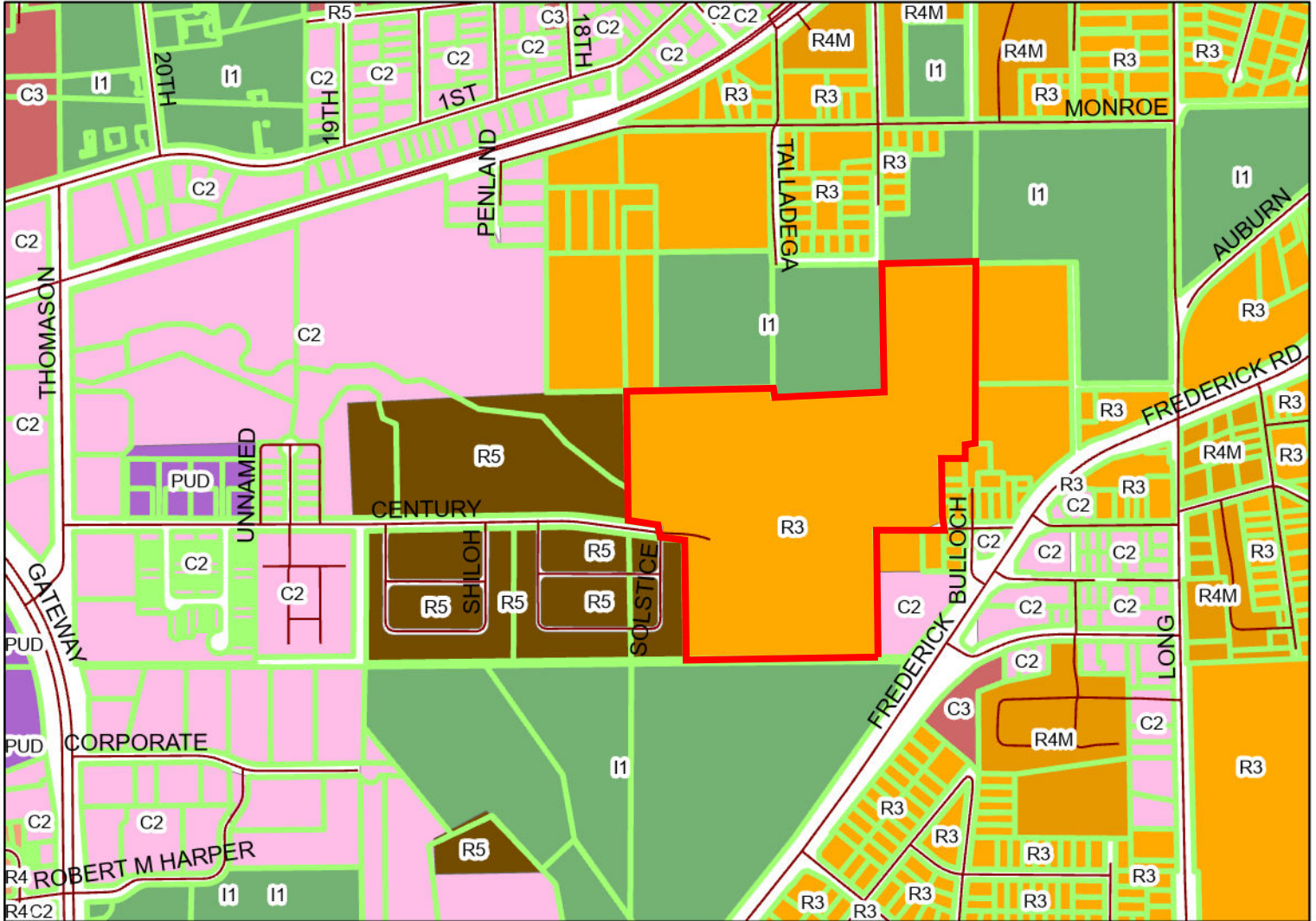
Opelika Water Board

Water is available from a 12” main on Century Blvd and from an 8” hang-off on Bulloch Ct. on the western side of Bulloch St. Connections to both mains will be required as part of this development.

Opelika Power Services

This is in the Opelika Power Service Territory.

**CENTURY PARK TOWNHOME DEVELOPMENT
1500 BLOCK CENTURY BOULEVARD
CONDITIONAL USE and PRELIMINARY PLAT
G-13, G-14**



The applicant is requesting as in January 2026 conditional use, and preliminary plat approval for 48 townhome lots and 6 open space lots. The townhomes range from 3,233 sf to 6,863 sf and minimum 20' lot width. The PC at the January meeting recommended rezoning approval to City Council.



Subject Property

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