



CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
May 26, 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. **PLAT (Preliminary Only), Continued Item – Public Hearing**
 1. Perryman Hill Plaza Plat No. 1 SD, 9 lots, Jerry South, Gonzalez-Strength, Inc., authorized representative for Perryman Hill, LLC, property owners, 3615 Birmingham Highway, C-2, GC-P, preliminary approval. *(This item continued from the April 26th PC meeting.)*
 - B. **FINAL PLAT**
 2. Springs at Opelika SD, 7 lots, Gateway Drive & Society Hill Road, Blake Rice, BSI, Inc., authorized representative for Capps Family Partnership, Ltd., property owner, final approval.
 - C. **ANNEXATION**
 3. Earnest Gunn, Jr., Armuriel Gunn Dumas, Callege Pak Gunn Holloway, property owners, 6571 Highway 431 North (Lafayette Pkwy), 35,098 sf lot.
 - D. **TEXT AMENDMENTS TO THE ZONING ORDINANCE – Public Hearing**
 4. Revision to Section 2.2 Definitions, Section 7.3. C. Use Categories (matrix table) for alcohol and hemp/CBD uses, and Section 8.28.5 Package Liquor Store Standards for Use - A public hearing to consider a recommendation to the City Council on proposed amendments to the Zoning Ordinance.
 - E. **STREET RENAMING - Public Hearing**
 5. A public hearing to consider a recommendation to the City Council a proposed renaming of Joann Drive to Faith Way.

“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.

April 28, 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 on April 28, 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, Councilwoman Leigh Whatley, Mr. Sheldon Whittelsey, Dr. Arturo Menefee, and Mr. Tom Penton.

MEMBERS ABSENT: Mayor Eddie Smith, Mr. Ben Bugg, Mr. Jay Walters, and Mr. John Sweatman.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mr. Martin Ogren, Assistant Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford
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. APPROVAL OF MINUTES

Approval of Planning Commission Minutes March 24, 2026

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

III. UPDATE ON PREVIOUS CASES

Matt Mosley reported that several rezoning requests previously considered by the Planning Commission had advanced to the Opelika City Council and had been approved. Those approvals included:

Moore's Ridge PUD amendment

Rezoning on Gateway Drive
Rezoning on North Uniroyal Road

Mr. Mosley stated that those were the only updates on previous cases.

IV. NEW BUSINESS

A. PLAT (Preliminary Only) – Public Hearing

1. Perryman Hill Plaza Plat No. 1 SD, 9 lots, Jerry South, Gonzalez-Strength, Inc., authorized representative for Perryman Hill, LLC, property owners, 3615 Birmingham Highway, C-2, GC-P, preliminary approval.

No action due to lack of quorum.

Mr. Mosley stated that due to recusal and the resulting lack of a quorum for this specific item, the Planning Commission would not take action at the April meeting. He advised that because the item had been publicly advertised, the Commission would still open and close the public hearing and continue the item to the May meeting for formal consideration.

Mr. Whittlesey opened the public hearing.

No comments.

Mr. Whittlesey closed the public hearing.

2. Yarbrough Hills Townhouses SD, 68 lots, Woodson T. Harmon, authorized representative for H&H Development, LLC, property owners, Terminus of Yarbrough Drive, C-3, preliminary approval.

Matt Mosley presented a request for preliminary plat approval for Yarbrough Hills Townhouses Subdivision, consisting of 68 townhouse lots on approximately 11.4 acres located at the terminus of Yarbrough Drive within a C-3 zoning district. He stated the proposed townhouse development previously received conditional use approval in 2024. The proposed density is approximately 5.9 dwelling units per acre and exceed the minimum standards. Most lots are approximately 25 feet in width and contain 2,500 square feet or more in lot area.

Mr. Mosley stated that the development would consist of attached townhouse units served by private internal streets and common open space areas. The plan includes internal roadway circulation, drainage infrastructure, and future roadway connectivity associated with the planned extension of Yarbrough Drive toward Veterans Parkway.

Staff recommends conditional use approval, subject to the following:

1. **A sidewalk is required on both sides of the streets. Extend the townhome sidewalk to the north to Yarbrough Drive.**
2. **All utilities shall be underground.**
3. **Add a note on the plat indicating who will maintain the open space.**
4. **Between the townhome units nearest to Yarbrough Drive extension and the north property line, install an opaque visual screen with evergreen trees/shrubs. If fencing is installed for these townhome units must be between the landscape buffer and the townhome units, so the evergreen buffer faces Yarbrough Drive extension. The buffer should be shown on the final plat.**
5. **On or near the west property lines, a residential buffer is required, consisting of one of the three options in Section 10 Landscape Regulations. If fencing is an**

- option chosen, install the fence between landscaping (that is nearest to the adjacent single-family homes) and the townhome units, showing the buffer.
6. Any fences constructed for townhome units must be consistent in maintaining a uniform appearance as specified in HOA guidelines.
 7. The exterior materials for townhomes must meet the gateway corridor cladding requirements as provided in Section 7.6 Gateway Corridor in Zoning Ordinance.
 8. Correct the Lot table. Lot size for Lot 69.
 9. Correct Note 4. Address.
 10. It should be noted that the portion of the existing right-of-way of Yarbrough Drive touching this subdivision is not yet built. A temporary turnaround will need to be installed on Yarbrough.
 11. Re: Note 8, the most current designation for the parent plat is Lot 2, Staley-Finch Subdivision, as recorded in Plat Book 51, Page 47
 12. The blocks of lots comprising Lots 13 – 44 and Lots 45 – 50 are “floating” and not tied to the boundary.
 13. There is no marker shown for the Easterly terminus of the southerly right-of-way line of the proposed extension of Yarbrough Drive.

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

Chair Cannon opened the public hearing.

Nish Bats, 205 Copper Lane: Opposed the request and stated that the proposed 68-townhome development was too dense and incompatible with the surrounding single-family neighborhood. Ms. Bats expressed concerns regarding traffic, safety, drainage, utilities, privacy, property values, and neighborhood compatibility. She stated that the development could add approximately 120 vehicles to a neighborhood served by a single entrance street. Ms. Bats also requested permanent buffering, preservation of remaining trees, evergreen screening, and fencing adjacent to existing homes. She additionally expressed concerns regarding the timing of mailed notices to surrounding residents.

Paula Gaddis, 2001 Copper Lane: Expressed concerns regarding traffic speed, stop signs, drainage, construction impacts, and fencing adjacent to existing homes. Ms. Gaddis stated that the area already experiences significant stormwater runoff and questioned how long construction activity would continue in the neighborhood.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed
MOVER: Tom Penton
SECONDER: Sheldon Whittelsey

DISCUSSION: **Mr. Mosley:** Explained the different types of buffers

Mr. Menefee: questioned whether the development triggered the threshold for a traffic study and asked staff to explain how traffic impacts are evaluated for projects of this size.

Mr. Parker: stated that the proposed unit count did not exceed the City’s current threshold requiring a traffic study and explained that traffic studies

are generally developer-funded when required. He further noted that the future Yarbrough Drive extension would improve circulation and connectivity in the area. He stated that drainage calculations, grading plans, detention facilities, utilities, and infrastructure improvements would continue to be reviewed during the construction plan process prior to final development approvals.

AYES: Chair Cannon, Penton, Menefee

NAYS: Councilwoman Ward 3 Whatley

ABSTAIN: None

3. Creekstone Phase 5 SD, 101 lots, Drew Mixson, authorized representative for House Mountain LLC, property owner, Oaks Parkway and Wildwood Drive, C-3, preliminary approval.

Mr. Mosley presented a request from Drew Mixson, authorized representative for House Mountain, LLC, for preliminary plat approval of Creekstone Phase 5 Subdivision, consisting of approximately 90 single-family residential lots, detention lots, and outparcels located between the future Scenic Oaks connector corridor and the existing Creekstone subdivision within a C-3 zoning district. He stated that the applicant originally submitted a preliminary plat containing approximately 101 lots, including 98 single-family residential lots connected through the existing Creekstone subdivision by way of Wildwood Drive.

During staff review, concerns were identified regarding cul-de-sac length, buffering, and secondary emergency access. Mr. Mosley stated that a revised plat reduced the overall number of lots to approximately 90 residential lots and included revisions to roadway layout and buffering areas. Mr. Mosley stated that single-family residential development is permitted within the C-3 zoning district subject to compliance with R-5 residential standards, including a minimum lot size of 7,500 square feet and minimum lot width of 60 feet. He stated that the proposed lots comply with those standards and that the overall density is approximately 2.3 dwelling units per acre.

Mr. Mosley stated that there were some notes of concern. Mr. Mosley discussed buffering concerns associated with lots adjoining the existing gas line easement and future connector roadway corridor. He stated that staff recommended required buffering be located directly on the residential lots rather than within the easement area because vegetation within the easement could potentially be removed in the future. Mr. Mosley also discussed concerns regarding secondary fire access and the future Scenic Oaks / Oaks Parkway connector road. He stated that portions of the development were originally platted in connection with prior subdivision approvals dating to approximately 2007 and that the City's position was that extension of the connector roadway remained necessary as part of future development of the property. Mr. Mosley stated that no agreement currently existed between the City and the developer regarding construction of the roadway extension.

If the Planning Commission does choose to approve the plat, we recommend the approval subject to the following conditions:

1. **Either reduce the number of lots on cul-de-sacs for Street A and Street B, reduce the length, or connect them to other roads removing the cul-de-sac.**
2. **Provide the use, maintenance responsibility and ownership of all open space lots.**
3. **Provide signature blocks and standard notes on the final plat.**
4. **All utilities shall be underground.**
5. **Provide a double frontage screening buffer for the lots that back up to Lots 500 and**

501. This should include a typical screening plan.

6. Construct the future bypass road (Scenic Oaks) from the current turn in South Uniroyal Road to the intersection of Wildwood Drive.

7. Sidewalks are required on both sides of each street.

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

Chair Cannon opened the public hearing.

Josh Moncrief, 1590 Creekstone Drive: questioned whether the proposed subdivision roadway crossed an existing creek area and asked how drainage, creek crossings, and stormwater infrastructure would be addressed during development review.

Mr. Mosley: explained that detailed engineering analysis, stormwater calculations, and creek crossing design would occur after preliminary plat approval during the engineering review phase.

Josiah Connley, 1704 South Lake Drive: requested that the City consider completing acquisition and long-term planning for the future Scenic Oaks connector roadway extending toward Old Columbus Road and Gateway Drive. Mr. Connley stated that completion of the roadway would improve access between eastern Opelika, Tiger Town, and Auburn while reducing congestion along Columbus Parkway and Interstate 85 interchange areas.

Drew Mixon, Applicant Representative: Mr. Mixon discussed revisions made to the preliminary plat in response to staff comments, including reducing the number of lots and shortening cul-de-sacs. He stated that the Fire Marshal indicated the proposed access configuration was acceptable and argued that requiring the developer to construct the full Scenic Oaks roadway extension was disproportionate to the scale of the subdivision.

Travis Hawkins, 1701 Creekstone Drive: Inquired about the construction timeline and requested that trees be preserved and not clear-cut.

Chair Cannon closed the public hearing

Motion to grant preliminary plat approval with staff recommendations and subject to conditions of roadway.

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

4. Warwick Retreat SD, Moore Bass Consulting, Inc., authorized representative for Freedom Land Holdings, LLC, property owners, Samford Avenue, C-2 & R-4, preliminary approval.

Mr. Mosley presented a request from Moore Bass Consulting, authorized representative for Freedom Homes Land, LLC, for renewed preliminary plat approval of Warwork Retreat Subdivision, consisting of approximately 92 total lots, including 84 residential lots, open space

lots, and commercial lots located along Samford Avenue within a mixture of R-4, C-2, and Gateway Corridor zoning districts. Mr. Mosley stated that the subdivision previously received preliminary approval approximately two years earlier and that the applicant was requesting renewal prior to expiration. He stated that the design remains substantially unchanged and includes a mixture of townhouse and single-family residential lots on approximately 26 acres with an overall density of approximately 3.4 dwelling units per acre. The proposed lots comply with the applicable minimum lot size requirements.

Staff recommends preliminary approval with the following conditions:

- 1. The certificates for the Opelika officials need to be included.**
- 2. Add a note on the plat to state ownership, maintenance, and use of open space lots, including lot numbers. Note that these are non-habitable lots on the final plat.**
- 3. Name the roads on the plat.**
- 4. Sidewalks shall be required on both sides of the street.**
- 5. All utilities shall be underground.**
- 6. Remove the setback lines.**
- 7. Note required buffers and proposed buffers on the plat, as shown on the landscape plan (20' landscape buffer) and the east property line.**
- 8. Define proposed wall along rear of Lots 60, 61, 62, and 63.**
- 9. Ensure the easements for trails on the plat and landscape plan are consistent.**
- 10. Sidewalks will be required along Samford Avenue at the time of development of Lot 85 & 86 if not installed previously.**

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

Chair Cannon opened the public hearing.

Matt Gray, representing Moore Bass Consulting: requested clarification regarding the required landscape buffer adjacent to the eastern property line and noted that existing vegetation and state-required undisturbed stream buffers already exist within portions of that area. Mr. Gray requested that existing vegetation be allowed to satisfy portions of the buffering requirements where appropriate.

Mr. Mosley: stated that because the area also contains a required undisturbed stream buffer, the existing vegetation would generally satisfy the intent of the buffering requirement.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

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

5. Lake Ridge SD, Redivision of South Lake Area Bank Parcels subdivision, Revision of part of Lot 2, 47 lots, Mike Maher, authorized representative for Southlake Bull Homes, LLC., property owner, 1500 block South Uniroyal Road, R-2 & R-3, preliminary approval.

Mr. Mosley presented the staff report to the Planning Commission for the preliminary plat request in the 1500 block of Uniroyal Road, brought by Mike Maher of Precision Surveying, representing Cha Han, Southlake Bull Homes, LLC. He noted the property was in the R-2 and R-3 zone with some lots in both zones. He explained that there was a small section of Institutional (I-1) as a buffer to property backing up to South Uniroyal Road. Mr. Mosley explained the required lots sizes for the zone. He explained that the development has been previously approved twice before by the Planning Commission in 2022 and 2024, but the most recent had expired. Mr. Mosley stated that the lot had a significant amount of elevation change from South Uniroyal down to the lake on the west side. He noted that Alabama Department of Environmental Management (ADEM) has previously cited the development for violations. Mr. Mosley stated to his knowledge these items had been addressed and were being handled through a consent decree and fines.

Mr. Mosley stated that our greatest concern in the staff report was that it only had one entrance and exit. This does not meet the City's approved version of the International Fire Code. He explained that the applicant had amended the plat to state that units would have fire suppression systems if a secondary access was not provided. Mr. Mosley stated that this was not the preferred method to handle this, but could meet the code. He noted that staff wanted the note to explicitly reference the code and state that all dwelling units would meet the sections of the IFC and note that fire suppression systems would meet the requirements of the code. With that condition, Mr. Mosley stated that the Planning Staff would change its recommendation to approval with conditions.

Mr. Parker provided the reports for Engineering, Opelika Water, and Opelika Power Services. He noted that the pace of the development was not sufficient. He also stated that while some infrastructure had been installed, he did not feel that most of it would meet city standards. He noted that the pace and start and stop nature of the development made it very difficult to monitor the construction and development.

Chair Cannon opened the public hearing.

Johnathan Reichel, 1709 South Lake Drive: Mr. Reichel stated that this item is a clear cut violation of the regulations and should not be approved. He stated that the long time period allowed the Planning Commission to see the actual results of the work this development has produced. He added that this had created four years of disrupted lives. He stated that Opelika Zoning Ordinance and State Code required to ensure the health, safety, and general welfare of the current residents and that this should be distributed over the entire community. He stated that Lakeridge and its developer present danger to the health, safety and welfare of its neighbors based on the following concerns:

1. The property has been under sporadic development for four years with nothing being completed.
2. Neighbors have been exposed to endless construction and noise levels, more than the lawful limit, due to blasting, rock crushing, and boulder moving with poorly maintained equipment. He felt these verged on quarry like operations.
3. The work site is left unattended for weeks and months at a time, leaving hazards such as a deep rock pit, unfinished sewer fittings and rusty construction equipment. This is dangerous to the children in the neighborhood.
4. The landowners have hired two criminal contractors.
5. Environmental concerns include failing to utilize proper erosion control, equipment that is rusty and leaking and unmarked containers near tributaries. He explained that this had damaged the lake's drain and led to sediment.

Joshua Moncrief, 1590 Creekstone Drive: He expressed exasperation with the fact that developer has been burning debris for four years, forcing he and his wife to stay in hotels due to the smoke in his home from fires that are too large and too high. He stated that they are currently burying the debris on site instead of hauling it away. In addition, he discussed the noise and house shaking caused by the blasting of rocks.

Michael Hutchinson, 1811 South Lake Drive: He stated that there is ambiguity about who is responsible for maintaining the lake level. He would like to get clarity on who will be responsible for maintaining the standpipe which appears to be on one of the proposed lots.

Jeff Reichel, 544 Towne Lake Parkway: He stated that the original developer Hughston Homes developed most of the surrounding area, but abandoned this due to it not being developable. He stated that the neighbors have had to endure four years of noise and unsafe conditions due to development that has not produced tangible results. He stated that people have moved away from this development due to the ongoing issues. He believed there were health and welfare issues related to ongoing development.

Chiao Han, 289 Ivy Lane, Auburn, AL, Property Owner: Mr. Han explained the various reasons for delay in this project over the four years. He said they had hoped not to need to blast. He explained that they were inexperienced and trusted contractors, which led to further issues. He stated that they were hoping to finish the blasting last year, but were almost done now. He asked that the plat be approved so that he could finish the project he had started. He stated he is willing to do whatever the City needs him to do to complete the project.

Mike Maher, Precision Surveying: Mr. Maher stated he is the only contractor who has been on this project from the beginning. He suggested that the owners request a table for this item to allow time for the owner, Matt Mosley and Scott Parker, to meet and discuss how to finish this project. He stated that it does not need to be left as is, or this will be erosion problems. He stated that there was a need to improve the property due to safety issues as it currently existed.

Mr. Penton inquired if the applicant would need to request a table.

Mr. Mosley stated that a table would delay the project for a year due to the moratorium.

Mr. Penton inquired if the blasting was complete.

Mr. Maher stated that the plat would need to be approved because there is still some blasting to complete.

Mr. Han stated that he felt there would need to be approximately two weeks worth of blasting including two more rounds of blasting.

Mr. Whittlesey inquired about the silt in the lake and how it would be resolved.

Mr. Maher answered that either ADEM, Corps of Engineers or the City Engineering Department would need to be consulted for advice on how to correct this problem.

Josiah Connely, 1704 South Lake Drive: Asked what would happen next if the plat were tabled with a moratorium in place, and would the site sit as is during the moratorium year?

Mr. Mosley stated that the site would need to be secured from a safety and erosion

standpoint. He stated that the developer could come back after the moratorium based on the conditions in place at that time.

Mrs. Whatley inquired what would happen to the property if the plat were denied.

Mr. Mosley answered that the site would need to be secured and not have sediment issues, but would largely stay the way it is.

Chair Cannon closed the public hearing.

Motion for amendment to the motion

RESULT: Passed

MOVER: Tom Penton

SECONDER: Sheldon Whittelsey

DISCUSSION: **Mr. Whittlesey** made a motion to approve with staff recommendations and added that the development will move forward under city, state and federal regulations to clean up and stabilize the site. Mr. Penton seconded the motion.

Mr. Penton asked who would be responsible for the standpipe and how would the slope be modified.

Mr. Parker stated that any remediation and stabilization of the slope and repair and maintenance to the stand pipe is under the obligation of the developer.

Mr. Penton made a motion to amend the motion to include stabilizing the slope to the lake, removing the silt and repairing the stand pipe. Mr. Whittelsey seconded the motion to amend the original motion.

AYES: Chair Cannon, Whittelsey, Penton

NAYS: Menefee, Councilwoman Ward 3 Whatley

ABSTAIN: None

Motion for approval with staff recommendations, must meet city, state and federal regulations for stabilization and clean up of the site. Lake slope, silt and stand pipe must be repaired.

RESULT: Failed

MOVER: Sheldon Whittelsey

DISCUSSION: Councilwoman Whatley asked the rest of the Commission why they believed that this time would be different if approved.

Commissioner Whittlesey stated that he felt it sitting in the current state was a greater concern.

Commissioner Menefee stated he was concerned because the residents would not be able to come back and address the concerns they have raised if approved.

SECONDER: Tom Penton

AYES:	Whittelsey, Penton
NAYS:	Chair Cannon, Councilwoman Ward 3 Whatley, Menefee,
ABSTAIN:	None

Mr. Mosley asked the Planning Commissioners to clarify the reasoning for their vote of denial.

Chair Cannon stated that her concerns were related to the issues raised by the citizens and the history of this project not moving forward as Councilwoman Whatley had stated earlier.

6. Moore's Ridge Phase 3 SD, 26 lots, Mike Maher, Precision Surveying, authorized representative for Moore's Construction, LLC., property owner, Cedar Creek Drive near Heatherbrook Drive, PUD, preliminary approval

Matt Mosley presented a request from Mike Marher, Precision Surveying, authorized representative for Tim Moore / Moore Construction, for preliminary plat approval of Moore's Ridge Subdivision, consisting of 26 single-family residential lots located off Hillflow Drive near Heatherbrook and Cedar Creek Drive within an existing Planned Unit Development. He stated that the property was formerly part of the Cedar Creek subdivision and PUD and that the applicant was proposing to rename the development Moores Ridge. He stated that the lots range in size from approximately 14,500 square feet to 28,000 square feet with minimum lot widths of approximately 80 feet. The proposed density is approximately 1.7 dwelling units per acre across approximately 14 acres.

Staff recommends preliminary approval subject to the following:

1. **Add the minimum setbacks in the plat notes.**
2. **Install sidewalks on both sides of all streets.**
3. **The signature line for Opelika Public Works is missing**
4. **The undeveloped remainder of the parent parcel must be shown, in a reduced scale breakout or similar, with an approximate acreage given.**
5. **The two stub streets should have at least a temporary name and right of way width.**
6. **A temporary turnaround may be required at the end of Cedar Creek Drive.**
7. **Add the owner's name and address.**
8. **Note # 8 "...verified by Robertson Surveying." ?**
9. **As Cedar Creek Subdivision Phase 1B (PB 27, Pg 115) has been recorded, the previous right of way of Cedar Creek Drive through this project should be indicated and any portions outside of the right of way shown on Lots 1-3 should be noted as being vacated.**

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

Chair Cannon opened the public hearing.

Monty Newport, 1100 Cedar Creek Drive: asked what future land use was planned for the undeveloped property adjacent to his recently purchased lot and stated that the plat did not identify future development within that area. He also asked whether sidewalks would be installed throughout the subdivision.

Mr. Mosley: stated that because the property remains part of the Planned Unit Development, any future development would require amendment of the master plan and additional public

notification. Mr. Mosley also confirmed that sidewalks would be installed on both sides of the street within the subdivision.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Arturo Menefee
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

7. The Woods Phase 2 SD, 78 lots, Blake Rice, BSI, Inc. authorized representative for Pyramid Financial Trust, LLC, property owners, Stowe Avenue, C-2, GC-S preliminary approval.

Mr. Mosley presented a request for preliminary plat approval of Woodward Subdivision Phase 2, consisting of 75 single-family residential lots located along McCoy Street within a C-2 and Gateway Corridor Secondary zoning district. He stated that the property is located behind recently approved townhome developments and Parc Apartments and extends toward South Fox Run Parkway. He stated that the lots comply with the applicable R-5 residential standards required for residential development within the C-2 district. Mr. Mosley stated that the subdivision would primarily access Stowe Avenue and includes a secondary emergency access connection from Oliver Avenue. He noted that Lot 78 is designated as open space and emergency access and recommended that the emergency access be improved and posted to prohibit parking or blockage.

Staff recommends preliminary plat approval, subject to the following:

1. **Install underground utilities**
2. **Install sidewalks on both sides of all streets with connections to McCoy Street.**
3. **Add a note on who is responsible for building and maintaining open space/common/amenity areas/ HOA properties, and detention ponds.**
4. **Add the owner/developer's name and address to the plat.**
5. **Add the adjoiners across McCoy Street and across South Fox Run Pkwy.**
6. **Confirm that Lots 7, 8, 9, 12, 13, and 36 meet the minimum requirements or modify them to be conforming.**
7. **Improve and provide signage restricting parking within the fire access road.**

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

Chair Cannon opened the public hearing.

Shirley Jones 239 Grove Street: asked whether the creek and lake located behind nearby homes would be altered or drained as part of the subdivision development.

Mr. Mosley: stated that the creek area appears to remain within the proposed open space area and that, to staff's understanding, the existing lake is expected to remain unchanged.

Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

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

B. FINAL PLAT

8. Laurel Lakes Phase 1C SD, 57 lots, Blake Rice, BSI, Inc., authorized representative for Flatiron Farms, LLC, property owners, Moraine Drive & Ontario Rd., PUD, final approval.

Mr. Mosley presented a request from Blake Rice, BSI, authorized representative for Flat Iron Farms, LLC, for final plat approval of Laurel Lakes Phase 1C Subdivision, consisting of 57 residential lots within the overall Laurel Lakes Planned Unit Development located near the intersection of North Uniroyal Road and Ridge Road. He stated that the proposed phase extends from Ontario Drive to Moraine Drive and connects to Erie Drive near Ridge Road, creating additional roadway connectivity within the development. He stated that the subdivision includes substantial buffering along Ridge Road and South Uniroyal Road. The lots range in size from approximately 8,000 square feet to 17,000 square feet with minimum lot widths of approximately 60 feet, consistent with the Planned Unit Development standards. He noted that some lots along Moraine Drive are slightly shorter in depth than other lots within the development but remain compliant with the approved standards.

Mr. Parker 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: Tom Penton
AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley
NAYS: None
ABSTAIN: None

9. The Willows, Plat No. 2 SD, 56 lots, Blake Rice, BSI Inc., authorized representative for Trademark Quality Homes, LLC, property owners, Willows Drive, R-3, final approval.

Mr. Mosley presented a request from Blake Rice, BSI, authorized representative for Trademark Quality Homes, LLC, for final plat approval of Willows Subdivision Plat No. 2, consisting of 56 residential lots located within an R-3 zoning district. He stated that the property is located west of the existing Willows subdivision and east of Fox Run Village Phase 5. He explained that the property was formerly part of the Stephen Woods Phase 6 development but was renamed as part of the new subdivision development. All lots comply with the minimum R-3

zoning standards, including minimum lot sizes of approximately 10,000 square feet. The plat also includes two open space and detention lots, including one located near the subdivision entrance and another following the creek corridor separating the development from adjacent neighborhoods. Mr. Mosley stated that the subdivision would improve roadway connectivity through the area by linking Brookstone Drive, Willows Drive, and surrounding neighborhoods back toward Fox Run Parkway and US-431. He also noted that the final plat identifies the location of the sanitary sewer pump station previously requested by staff.

Staff recommends final plat approval subject to:

- 1. Install sidewalks on one side of all streets.**
- 2. Install underground utilities**

Mr. Parker 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:	Tom Penton
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

C. CONDITIONAL USE – Public Hearing

10. Pleasant Drive Redevelopment, Blake Rice, BSI, Inc., authorized representative for Opelika Housing Authority, property owner, 410 Pleasant Drive, R-5, 252 mixed residential units.

Mr. Mosley stated that the subject property contains approximately 20.9 acres and currently includes 74 housing units constructed during the 1950s. He stated that the redevelopment proposal would expand the site and construct a new 252-unit mixed-income residential development consisting of apartment, townhouse, and duplex-style housing units. The proposed unit mix includes approximately 108 apartment units, 114 townhouse units, and 30 duplex units. Although the total number of units would increase, the overall density of the development would decrease because of the larger redevelopment area. The existing development currently contains approximately 14.8 units per acre and the proposed redevelopment would reduce density to below 12 units per acre.

Mr. Mosley stated that the redevelopment would be phased to allow existing residents to remain within the community during construction. He explained that the project would include a mixture of subsidized housing units, workforce housing, tax credit units, and market-rate housing intended to create a mixed-income residential community rather than concentrating residents within a single income category.

The proposed site layout, which includes apartment buildings near the front of the property, townhouse units throughout the interior, duplex units, and multiple community amenities including offices, workforce development space, parks, pickleball courts, tennis courts, gazebos, athletic courts, and a dog park. He also discussed future pedestrian connectivity opportunities to East Alabama Health and nearby commercial areas.

Staff recommends approval subject to the following conditions:

1. **Add sidewalks Pleasant Drive.**
2. **Provide trees along both new and existing streets.**
3. **If dumpsters or compactors are installed, dumpsters must be enclosed on all sides and gated with an opaque fence at a height so that the dumpster is not seen outside the enclosure. Opelika Environmental Services must approve the waste collection type and location.**
4. **All utilities shall be underground.**
5. **All mechanical and HVAC units shall be screened from the public right-of-way.**
6. **The units shall meet the standards of the Gateway Corridor and meet or exceed the quality of the images provided.**
7. **Prior to each phase, the developer shall provide the City of Opelika with the number of units and what funding sources or grants will used to ensure that the overall development remains a mixed income development.**

Mr. Parker 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 grant conditional use approval with staff recommendations

RESULT: Passed
MOVER: Arturo Menefee
SECONDER: Sheldon Whittelsey
DISCUSSION: Mr. Whittelsey: Inquired about the timeframe for the build-out.

AYES: Mr. Mosley: Stated it would take approximately 4 years.
Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley
NAYS: None
ABSTAIN: None

11. 1501 Spring Drive Duplex, Mike Maher, Precision Surveying, authorized representative for Eagle Properties of AU, LLC., property owner, 1501 Spring Dr., R-3, duplex conditional use.

Mr. Mosley presented a request from Mike Maher, Precision Surveying, authorized representative for Eagle Properties of AU, LLC, for conditional use approval to construct a duplex at 1501 Spring Drive within an R-3 zoning district. He stated that the subject property is located near Dale Avenue and was previously subdivided from a larger residential lot. The lot meets the minimum 10,000 square foot requirement for either a single-family residence or duplex development within the R-3 zoning district. Mr. Mosley stated that the applicant proposed construction of a duplex containing two residential units of approximately 395 square feet each. He noted that multiple easements crossing the property limit the available building area and affect site design.

Mr. Mosley stated that although duplexes and higher-density zoning districts exist within the broader surrounding area, staff believed the proposed density exceeded the scale and character of the immediately adjacent neighborhood. He stated that while the Planning Commission could authorize a density increase under the ordinance, the proposed development would result in a density significantly greater than surrounding nearby residential lots.

Staff recommended denial of the request.

Mr. Parker 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 deny conditional use approval based on size and scale of proposed duplex

RESULT:	Passed
MOVER:	Tom Penton
SECONDER:	Councilwoman Ward 3 Leigh Whatley
AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

12. Botanic Cottages, Hayes Eiford, Samford Group, authorized representative for Botanic LLC, property owners, 1702 Frederick Road, C-2, GC-P, mixed-use commercial & residential with short-term rentals.

Mr. Mosley presented a request from Hayes Eiford, Samford Group, authorized representative for Botanic, LLC, for conditional use approval to construct 12 detached cottage-style residential lodging units at 1702 Frederick Road within a C-2 and Gateway Corridor zoning district. He stated that the subject property is part of the existing Botanic mixed-use development, which currently contains a restaurant, retail, greenhouse, and residential uses. He stated that the applicant proposes 12 detached cottage units surrounding the existing lake area together with a proposed conservatory building intended for events and gatherings. Because multiple residential units are proposed on a single lot, the request was reviewed as a multifamily residential conditional use within the C-2 district. The property contains approximately 11.6 acres and the proposed residential density is approximately one unit per acre.

Recommendation

Staff does not have issues with the overall concept, however there are some concerns that must be addressed to ensure that the use will not have ongoing issues for adjacent property owners:

1. **Any dumpster must be screened through approved corridor materials. No dumpster, refuse bin, composting, or other trash container should be located within 50 feet of any property line due to the strong, pungent smell of the refuse being disposed.**
2. **All gates will need to be noted and approved by City emergency personnel to ensure emergency access and adequate stacking from the public street.**
3. **The driveway to the residential units shall be at least 20 feet wide and meet all requirements of the Opelika fire code. The drive must include signage or markings noting that the drive cannot be used for parking except in designated locations.**
4. **All buildings must meet corridor cladding requirements.**
5. **The storage bins must be fully screened from the public right-of-way. All outside storage and sales areas shall be noted on the site plan. Lay down yards and construction material storage shall be designated on a site plan and must be 50 feet from any property line.**
6. **The previously required residential buffer along the north property line shall be installed.**
7. **Building 12 must meet the required setbacks for the Gateway Corridor of at least 20**

feet.

8. The cottages shall only be used for lodging (eating and sleeping); private and/or commercial events and activities are prohibited. Only the registered/contracted guests may utilize the cottages.

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

Chair Cannon opened the public hearing.

No public comments were received during the public hearing; however, Mr. Mosley noted that the Commission previously received correspondence from adjacent property owners expressing concerns regarding traffic, parking, access easements, and circulation associated with the development.

Chair Cannon closed the public hearing.

Motion to Amend

RESULT: Passed
MOVER: Sheldon Whittlesey
SECONDER: Leigh Whatley
AYES: Chair Cannon, Whittlesey, Penton, Menefee, Councilwoman Ward 3
Whatley
NAYS: None
ABSTAIN: None

Motion to grant conditional use approval with staff recommendations and to include a right and left turn lane

RESULT: Passed
MOVER: Tom Penton
SECONDER: Arturo Menefee
DISCUSSION: **Mr. Whittlesey** expressed concerns regarding parking demand, traffic circulation, and access management associated with the proposed conservatory and cottage development. Questions were raised regarding parking capacity, shared access roads, and whether additional roadway improvements or turn lanes along Frederick Road would be necessary.

Stacey Brown & King Braswell stated that Botanic currently manages event traffic through parking attendants, shuttle services, overflow parking agreements, and guest parking coordination. He stated that the conservatory building would function similarly to the existing event tent currently used on the property and that the applicant continued exploring additional parking opportunities.

Josh Mura stated that the revised site plan increased the driveway width to 20 feet and expanded on-site parking from approximately 16 spaces to approximately 30 spaces for the cottage area. He also stated that the applicant intended to avoid disruption of existing utility service along the shared access easement.

Mr. Penton & Chair Cannon questioned responsibility for maintenance of utilities and roadway improvements along the private access easement.

Mr. Parker stated that utilities located within the private easement would remain privately maintained and would not become City maintenance responsibilities.

Mr. Mosley clarified that the conditional use request before the Commission primarily involved the residential cottage component and stated that additional parking analysis and review associated with the conservatory would occur during future development review.

During discussion, the Commission amended the motion to require installation of right-turn and deceleration lane improvements associated with the Frederick Road entrance improvements.

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley
NAYS: None
ABSTAIN: None

13. 201 Avenue C Duplex, Alex Perez, Guatamaula Investments, authorized representative for Earnestine and Forson Evans, property owners, South 2nd Street & Avenue C, R-4, Duplex Unit

Mr. Mosley presented a request from Alex Perez, authorized representative for Ernestine Anderson Evans III, for conditional use approval to construct a duplex at 104 Avenue C located at the corner of Avenue C and Second Street within an R-4 zoning district. He stated that the subject property meets the minimum lot requirements for the R-4 zoning district and that the proposed density is below the maximum density permitted within the district. He stated that the proposed duplex would result in approximately two dwelling units per acre on the approximately 10,000 square foot lot. Mr. Mosley stated that the Future Land Use Map designates the area as a single-family neighborhood classification, which permits duplex and townhouse infill development on vacant or corner lots where appropriate. He stated that the proposed duplex units would contain approximately 1,100 square feet each and would utilize materials and pitched roof designs intended to maintain compatibility with the surrounding neighborhood and Gateway Corridor standards.

Staff recommends conditional use request approval subject to:

- 1. Exterior wall materials must follow the exterior material standards provided in Section 7.6 Gateway Corridor.**
- 2. The duplex must be in character with the existing single-family homes in the neighborhood.**

Mr. Parker 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 grant conditional use approval with staff recommendations

RESULT: Passed
MOVER: Arturo Menefee
SECONDER: Sheldon Whittelsey

AYES:	Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS:	None
ABSTAIN:	None

14. Pointe Grand Apartments, Hillpointe, LLC, authorized representative for Priester Construction and Development, LLC, property owners, 2013 Waverly Parkway, R-5, 360 units townhomes and apartments.

Mr. Mosley presented the staff report to the Planning Commission for the request of conditional use approval for Point Grand Apartments, Hillpointe, LLC. He stated the applicant is proposing to develop a 312-unit apartment complex and 48 townhouse development. The subject property is undeveloped in the R5 zone. The development would include 11 apartment buildings and six town home buildings. He stated that the density of the development would be 13 units per acre, which is below what is allowed in the R5 zone (16 units per acre). The future land use designation in the Opelika comprehensive plan is single-family neighborhoods, which are primarily detached homes, but can also include town houses and duplexes. The developer has provided an additional access point by proposing to add a connection from Priester Road to Dunlop Drive. Mr. Mosley stated that the setbacks, landscaping and parking requirements have been met. He noted that the Planning Staff have not provided either a positive or negative recommendation, as there are issues between the proposal and the future land use plan, in that the development would be more dense than the surrounding properties. If the Commission chooses to approve, the Planning Staff have provided recommended conditions for approval.

Recommendations:

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

Chair Cannon opened the public hearing.

Mark Ackerman, 1158 Willow View: Stated that traffic is already a problem in this area and a new complex would make it worse. He questioned where the extra traffic would go and stated the only two outlets are congested and hard to cross on Highway 280 or the two-lane street, South Pleasant Drive.

Steve Penland, 1019 Fitzpatrick Avenue: Stated that there needs to be a more extensive traffic study than the one that is currently being conducted.

Brett Basquin, Foresite Group: Stated that an in-depth traffic analysis had been performed and given to the City. He also stated that this development would fit in with future land use, in that it would transition from commercial (East Alabama Medical Center) into single family use.

David Wisdom, representing Hillpoint: Reiterated the points that Brett Basquin stated and said that they are working closely with East Alabama Medical Center on the southern road connector.

Chair Cannon closed the public hearing.

Negative recommendation to the City Council

RESULT:	Passed
MOVER:	Councilwoman Ward 3 Leigh Whatley
SECONDER:	Tom Penton

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3
Whatley
NAYS: None
ABSTAIN: None

15. 409 Geneva Street Apartments, Nelson Marsh, property owner, 409 Geneva Street, C-2, 5 apartment units in existing building.

Mr. Mosley presented a request from Nelson Marsh, property owner and applicant, for conditional use approval to allow five residential units within the existing structure located at 409 Geneva Street within a C-2 zoning district and the Southside Geneva Historic District. He stated that the subject property contains an approximately 5,000 square foot historic structure located at the corner of Geneva Street and Avenue D. The surrounding area contains a mixture of single-family residences, duplexes, townhomes, office redevelopment uses, and vacant lots. He stated that the structure was significantly damaged by fire in January 2025 and that the applicant was requesting approval to formalize the existing residential configuration and add another unit. He stated that the building historically contained multiple residential units for many years and that the proposal includes two units on the main level and three units within the basement level. The overall density complies with the zoning district requirements and the Future Land Use Map designates the area for mixed-use residential and commercial activity. He stated that staff believed the request represented a compatible adaptive reuse of the historic structure and would assist with preservation of one of the older homes within the district.

Planning staff recommends approval of the conditional use for a fifth apartment unit subject to the following conditions:

- 1. Submittal of a site plan showing a minimum of 10 gravel parking spaces with bumpers.**
- 2. Compliance with all Landscape Regulations, including the preservation of existing trees.**
- 3. Approval from the Historic Commission for all exterior renovations.**
- 4. Installation of a fire sprinkler system on both floors as required by Building Inspections.**

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

Chair Cannon opened the public hearing.

Nelson Marsh, Owner: 509 Geneva Street: stated that the historic structure had significant personal importance to his family and explained that he was born and raised in the home. He stated that historical research indicates portions of the home date to the 1860s and that the structure has functioned with multiple residential units since at least the early 1900s. He stated that restoring the structure as a multi-unit property would improve the financial feasibility of preserving the historic home following the January 2025 fire. He stated that preserving the structure was important because it represents one of the few remaining antebellum homes along Geneva Street.

Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed
MOVER: Tom Penton

SECONDER: Sheldon Whittelsey

DISCUSSION: Chair Cannon expressed concerns regarding the long-term condition of the structure and stated that she did not want the conditional use approval to remain indefinitely if the building were allowed to deteriorate in the future.

Mr. Mosley stated that conditional use approvals are generally valid for 12 months unless development proceeds and noted that Historic Preservation regulations provide additional oversight regarding future demolition or redevelopment of the structure. He also stated that staff had worked with the applicant to preserve and restore the historic character of the home rather than allowing demolition and replacement construction.

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley

NAYS: None

ABSTAIN: None

16. GK9 Kennel, Lee Tharp, Kadre Engineering, authorized representative for Q14, LLC, property owner, 215 Orr Avenue/2405 Poplar St, M-1, Outdoor Kennels.

Mr. Mosley presented a request from Lee Tharp Engineering, authorized representative for Q14, LLC / G Canine Kennel, for conditional use approval to expand an existing canine training facility with additional kennel structures at 215 Orr Avenue located within the Orr Industrial Park. He stated that the facility has operated as a canine training center since approximately 2018 and trains dogs for narcotics, firearms, explosives, and related detection purposes. The proposal includes seven additional kennel buildings located behind the existing structure. He stated that the kennels include climate-controlled indoor areas together with outdoor fenced exercise runs. The proposed kennel buildings are located approximately 215 feet from the nearest residential property line and nearly 300 feet from the nearest residence. He noted that a substantial wooded area currently separates the site from the residential neighborhood to the south and stated that staff recommended preservation of the wooded buffer for noise mitigation purposes.

Staff recommends conditional use approval subject to the following:

1. Provide a revised site plan providing the kennels meet the minimum 30-foot rear yard setback.
2. The 190-foot-wide undeveloped wooded area located on the south side of the property adjacent to kennels must be preserved in its natural state to serve as a permanent noise buffer. R-3 residential district is along south property. If any portion of this wooded area is cleared or significantly thinned, the applicant is required to install a city approved screen to maintain noise standards as provided in Section 8.6 of Zoning Ordinance.

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

Chair Cannon opened the public hearing.

Lee Tharp: stated that the applicant had no objections to the staff recommendations and confirmed that the proposed kennel expansion would not substantially alter the current operations of the facility. He stated that the dogs would primarily remain indoors within climate-controlled kennel areas and would only utilize the exterior runs periodically for training and exercise purposes. He also stated that the existing wooded buffer area between the kennel property and nearby residences is intended to remain undisturbed and that the property owners currently have no plans to remove the wooded area.

Chair Cannon closed the public hearing.

Amendment to the motion to state that dogs will not be permitted to be left outside between 6pm to 8am

RESULT: Passed
MOVER: Sheldon Whittelsey
SECONDER: Councilwoman Ward 3 Leigh Whatley
AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS: None
ABSTAIN: None

Motion to grant conditional use approval with staff recommendations and amendment stating dogs cannot be left outside at night

RESULT: Passed
MOVER: Arturo Menefee
SECONDER: Tom Penton

Mr. Penton asked for clarification regarding whether the proposed kennels were primarily indoor or outdoor facilities and questioned the distance between the kennel structures and nearby residential properties.

Mr. Tharp stated that the kennels are primarily indoor facilities with attached exterior runs and that the dogs would not remain outside continuously. He also confirmed that the wooded buffer area currently provides substantial separation between the site and nearby residences.

Mr. Whittelsey expressed concerns regarding potential overnight noise impacts to nearby residential properties and requested that the approval require dogs to remain indoors overnight.

Following discussion, the Commission amended the motion to require that dogs not be kept outdoors between 6:00 p.m. and 8:00 a.m.

AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS: None
ABSTAIN: None

D. REZONING - Public Hearing

17. Rezoning Request, Mark Strozier, Strozier Services, LLC., authorized representative for Cannon Timber & Land LLC, property owner, 18.35 acres, 3400 block Birmingham Highway, from R-4 to C-3, GC-P.

Mr. Mosley presented a request from Race Cannon, property owner, to rezone approximately 18.34 acres located along the 3400 block of Birmingham Highway (US-280) from R-4 (Medium/High Density Residential) to C-3, Gateway Corridor. He stated that the property is currently vacant and located north of the Lee County Youth Development Center near the Springs of Mill Lakes subdivision and Ski Lodge Apartments. He stated that the Future Land Use Map designates the area as mixed-use, which permits both residential and commercial development. Mr. Mosley stated that staff initially recommended rezoning the property to C-2,

Gateway Corridor rather than C-3 because of its proximity to nearby residential development. He explained that C-2 generally contains lighter office and retail uses than C-3 while still remaining consistent with the mixed-use designation. He also discussed development limitations associated with the property, including steep terrain, the presence of a substantial stream corridor, required stream buffers, and Alabama Department of Transportation access restrictions along Birmingham Highway. He stated that commercial development adjacent to residential neighborhoods would be required to provide buffering, lighting controls, and other screening measures under the zoning ordinance.

Staff recommends a negative recommendation to rezone the property from R-4 to C-3, GC-P by the City Council. Because the 2040 Land Use Plan shows this area as mixed use, which is defined as a mix of residential and commercial uses. This designation would support a lesser zoning classification of C-2, GC-P.

If the applicant and Commission would like to move forward with C-2, GC-P zoning, that zoning would be supported by the mixed-use Future Land Use designation and similar zoning on the adjacent property.

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

Chair Cannon opened the public hearing.

Jamie Allen 3150 Mill Lakes Ridge: stated that residents were not opposed to reasonable commercial development but requested preservation of the creek corridor and wooded areas nearest the neighborhood as permanent buffers. She expressed concerns regarding traffic, noise, lighting, privacy, and access into the Springs of Mill Lakes subdivision and requested that lower-intensity commercial uses be considered.

Mel Beams 1310 Spring Lakes Crossing: The speaker expressed concerns regarding trespassing, homeless activity, neighborhood security, lighting impacts, and traffic access from Birmingham Highway. He requested installation of fencing, buffering, and lighting protection between future commercial development and the residential neighborhood.

Janey Patti, 3090 Mill Lakes Ridge: expressed concerns regarding removal of trees along Birmingham Highway and potential increases in traffic noise affecting nearby homes. She requested preservation of the wooded buffer and questioned whether the narrow triangular portion of the property behind existing homes could realistically be developed.

Norman Patti, 3090 Mill Lakes Ridge: requested clarification regarding environmental protections for the creek corridor and asked how future buffering, lighting, and environmental protections would be addressed if the property is developed.

Russ Stoddard, 1340 Spring Lakes Crossing: thanked the Commission and staff for clarifying that the request involved only rezoning and that detailed development standards and conditions would occur during future site plan review.

Barbara Cowan, 1260 Spring Lakes Crossing: expressed concerns regarding impacts to the creek corridor and surrounding natural areas, which she stated were important features of the neighborhood.

Mark Ackerman 1158 Willow View: expressed concerns regarding drainage, topography, highway access limitations, and the practicality of commercial development on the property. He questioned whether the property was suitable for more intensive commercial zoning because of

steep terrain, stream corridors, and traffic access constraints.

Race Cannon, property owner: stated that no development plans currently exist for the property and explained that the request was intended to establish more appropriate zoning along the Birmingham Highway corridor. He stated that he understood neighborhood concerns regarding buffering and stream protection and noted that future development would still be subject to City review standards and environmental regulations. Mr. Cannon also stated that he did not object to rezoning the property to C-2 rather than C-3 if the Commission preferred the less intensive zoning classification.

Chair Cannon closed the public hearing.

Motion to approve or send a positive recommendation to the City Council for rezoning from R-4 to C-2, GC-P.

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

V. OLD BUSINESS

E. FINAL PLAT

18. Firefly Phase 2A SD, 84 lots, Spencer Cothran, Holland Homes, authorized representative for Firefly Development Lee, LLC, property owner, 100 Firefly Lane, PUD, final approval. *(This agenda item tabled at the March 24th PC meeting.)*

Mr. Mosley presented a request for final plat approval within the Firefly Planned Unit Development, consisting of 84 total lots, including 81 residential lots, two future development lots, and one access lot serving an adjacent property owner. He stated that the request was previously tabled during the prior month's meeting because infrastructure improvements were not complete at that time. He stated that the proposed phase is located on the eastern portion of the Firefly development and includes a mixture of single-family lots and duette style residential units along Honeysuckle Lane featuring rear-entry access configurations.

Staff recommends preliminary plat approval subject to the following:

- 1. Install underground utilities.**
- 2. Install sidewalks on both sides of all public streets. Extend said sidewalks to open space lots/areas that are nearest to street sidewalks providing access from street sidewalks to open space areas.**
- 3. Exterior materials of all dwelling units must meet the exterior "Materials and Cladding Requirements of Section 7.6 Gateway Corridor District."**
- 4. Add a note on final plat providing minimum setbacks for twin homes and single-family lots. twin home - 10' front, 10' side yard on street & 10' side yard on end units, 20' rear yard) (all single-family homes – 20' front, 10' side yard on street, 5' side yard, 20' rear)**
- 5. Add note on plat, as stated on developer's narrative ("Overall Development Scheme"), that the developer is responsible for managing and maintaining open space lots**

until a homeowner's association is established to continue maintenance of said lots.

6. Add note on plat providing the uses allowed on the open space lots, Lot 1000 and Lot 1002.

7. Add a note that a minimum of one street tree per single family home lot and one street tree twinhome lot are required. Street trees must be planted on private property not right of way.

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

Motion to move item off of the table

RESULT: Passed
MOVER: Sheldon Whittelsey
SECONDER: Councilwoman Ward 3 Leigh Whatley
AYES: Chair Cannon, Whittelsey, Penton, Menefee, Councilwoman Ward 3 Whatley
NAYS: None
ABSTAIN: None

Motion to grant final plat approval with staff recommendations

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

VI. ADJOURN

Motion to adjourn at 4:00 p.m.

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

Lucinda Cannon, Chair

Matt Mosley

Agenda Item

A-1

Continued Item

Preliminary Plat

Perryman Hill Plaza

Public Hearing

Motion: Motion to approve or deny preliminary plat with staff recommendations



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

PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: SW Corner Veterans Pkwy and US Hwy 280

PROPERTY OWNER: Perryman Hill, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Jerry South

MAILING ADDRESS: 1550 Woods of Riverchase Dr, Suite 200, Hoover, AL 35244

PHONE NUMBER: **FAX NUMBER:**

TYPE OF PLAT APPROVAL REQUESTED

- SKETCH PLAN ADMINISTRATIVE PRELIMINARY FINAL

Does the subdivision require any other official action by the City? N/A

- Annexation Rezoning Other _____

PARCEL INFORMATION

Subdivision Name: Perryman Hill Plaza Plat No 1

Number of Lots: 9 x \$3.00 = \$ 27.00

Current Land Use: Undeveloped

Number of APO: 4 x \$6.74 = \$ 28.00
(Adjacent Property Owners)

Current Zoning: C-2

Fee: \$75.00

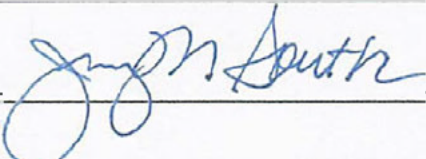
Proposed use of the Subdivision: _____

TOTAL = \$130.00

- Residential Commercial
 Manufacturing/Industrial Office/Institutional

PAID \$130.00

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Perryman Hill Plaza Plat No 1 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE:		
(PRINT NAME) JERRY SOUTH		DATE 02/02/26

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, Place Cannon, Manager, Perryman Hill LLC, being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

Jerry South 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 2/3/26

STATE OF ALABAMA
COUNTY OF LEE

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

that Edmund Cannon, 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 3rd day of February 2026,

[Signature]
Notary Public

My Commission Expires: 6/24/2028



SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$6.74 each certified letter, plus \$3 each lot in subdivision.** Checks payable to City of Opelika. For final plat approval only or administrative plat approval only: \$75 application fee.
8. Approval of a preliminary plat by the Planning Commission shall expire in one year after approval date; approval of a final plat by the Planning Commission shall be null and void if the plat is not recorded within 120 days after approval date.
9. Final plat approval shall not be given at the same Planning Commission meeting when preliminary approval is requested if public infrastructure improvements are required. When public improvements are required 20 days must lapse between preliminary and final approval.

AUTHORIZATION TO ACT AS APPLICANT

CITY OF OPELIKA PLANNING DEPARTMENT

700 Fox Trail

Opelika, AL 36801

PH: (334) 705-5156 or FX: (334) 705-5159

I, Race Cannon, Manager,
Perryman Hill LLC, being owner of the property which is the subject of this application hereby authorize Gonzalez-Strength & Assoc / John Argo, to act as my representative with the City of Opelika's (Board of Zoning Adjustments, and/or Planning Commission, and/or City Council), as required by the type of request listed on the attached application form.

Property Owner's Signature: 

Date: 3/20/24

STATE OF ALABAMA

COUNTY OF LEE

I, Kristina Beckwith, a Notary Public in and for said County and State, hereby certify that Edmund Cannon, 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 20th day of March, 2024

Kristina H. Beckwith
Notary Public

My Commission Expires: 6/24/2028



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 26, 2026

Subdivision: Perryman Hill Plaza Plat No. 1 SD

Agenda Item #: A-1

Action Requested: Preliminary Plat – 9 lots

Location of Property: 3615 Birmingham Highway

Property Owner(s): Perryman Hill, LLC
Jerry South, Gonzalez-Strength & Associates, Inc., authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

Flood Zone: FEMA – No portion of property is in in 100-year flood zone. Property in Flood Zone “X” (area of minimal flooding) per FEMA FIRM map #01081C0064G.

Staff Comments:

The Planning Commission reviewed this Perryman Hill preliminary plat at the April 26 meeting but could not vote on the plat because a lack of a quorum. Today’s review is a continuation of the April 26th meeting and a vote on the preliminary plat.

The applicant is requesting preliminary approval for 9 lots located at 3615 Birmingham Highway (southwest corner of Veterans Parkway & Birmingham Highway) for commercial development. The plat area is about 59 acres. The purpose of the plat is to resurvey and further subdivide Lot 1 into two lots (Lot 1, 11.1 acres and Lot 1A, 1.4 acres) and subdivide Lot 5 into five lots (Lot 4 to Lot 8). On the plat, Lot 4 is Road 1 and Lot 8 is Road 2. Road 1 is a 65 ft. right-of-way that runs from Veterans Parkway to Birmingham Highway, and Road 2 is a 70 ft. right-of-way that runs from its intersection with Road 1 to the west boundary line of the plat. Lot 2 (12,634 sf) and Lot 3 (2 acres) are accessed from Road 1. Road 1 street construction must be completed before a building permit is issued for Lots 2 and 3.

The subject property is in a C-2, GC-P office-retail zoning district. The lot sizes and street widths are consistent with a subdivision for commercial development concerning lot layout, access, and other minimum standards. The plat provides easements, including a 20-foot private sanitary sewer easement, and access easements on Lot 4 and Lot 8 for vehicles and pedestrians.

Recommendations – *At the April 26th meeting, there were eight recommendations¹ to revise on the plat. The applicant revised the plat for the May 26th meeting and added the eight recommendations; The updated plat is in your packet for review.*

Staff recommends preliminary plat approval of the revised plat submitted for the May 26th meeting.

¹ [At the April PC meeting], Staff recommends preliminary plat approval subject to the following:

1. There are two separate flood notes on the plat with different information. Please remove the incorrect one.
2. Along the southerly right of way of Highway 280, the dimensions of the portion of said right of way where Road 1 fronts are not given. The same is true for the section of said right of way line between the easterly portion of Road 1 and a broken concrete monument. Continuing along said right of way, dimensions are missing on Lot 1A.
3. The dimensions along the northwesterly right of way of Veterans Parkway which is the frontage of Lot 1 appears to be incorrect. The chord distance is given as 810.27 feet but scales about 692 feet.
4. According to the S.O.P., some distances should be shown from the meander line to the centerline of the creek.
5. A “CENTERLINE OF CREEK” notation is given inside the southwestern portion of Lot 7, but no line is shown for that.
6. The dimensions are missing where the southerly right of way line of Road 2 hits the western parcel boundary.
7. Roads should not be labelled as lots.
8. Lots previously altered should have revised lot designations to prevent confusion.

Engineering Department Report

The applicant has submitted infrastructure and site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments and utilities for review and approval. Once review and comments have been made, a preconstruction meeting will be scheduled prior to construction. This meeting will discuss the expectations and requirements of the City and utility departments. After all needed State and Federal permits have been submitted for review a Notice to Proceed and Land Disturbance Permit will be issued.

All roadway and utility construction will be inspected and monitored by the Engineering and Public Works Department and other utilities. Once the construction of the site is completed, Performance Bonds will be issued for the final surface of roadway and sidewalks, and a Maintenance Bond will be issued prior to Final Plat acceptance.

The location of the roadway access location on Veterans Parkway is approved, and a right turn lane will be required for this access. The access for Birmingham Parkway will require ALDOT approval for the access requirements.

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

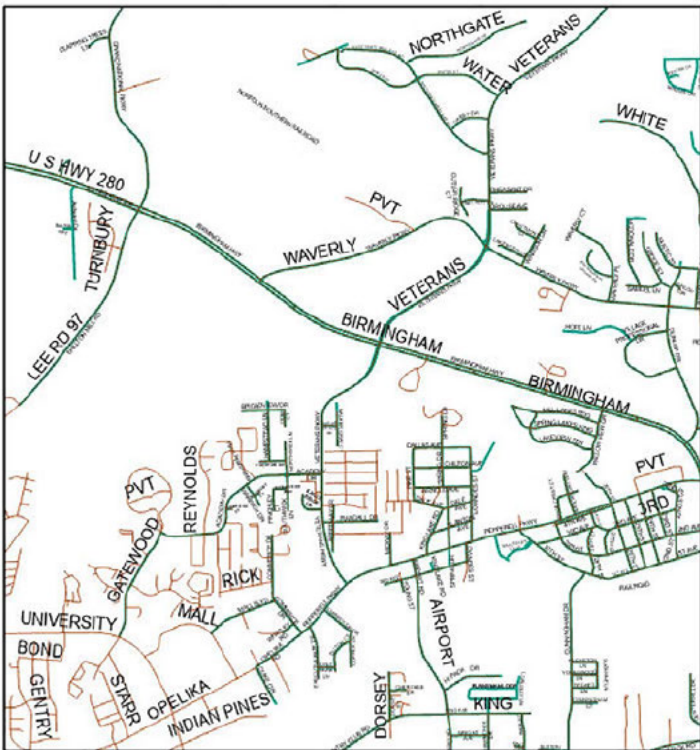
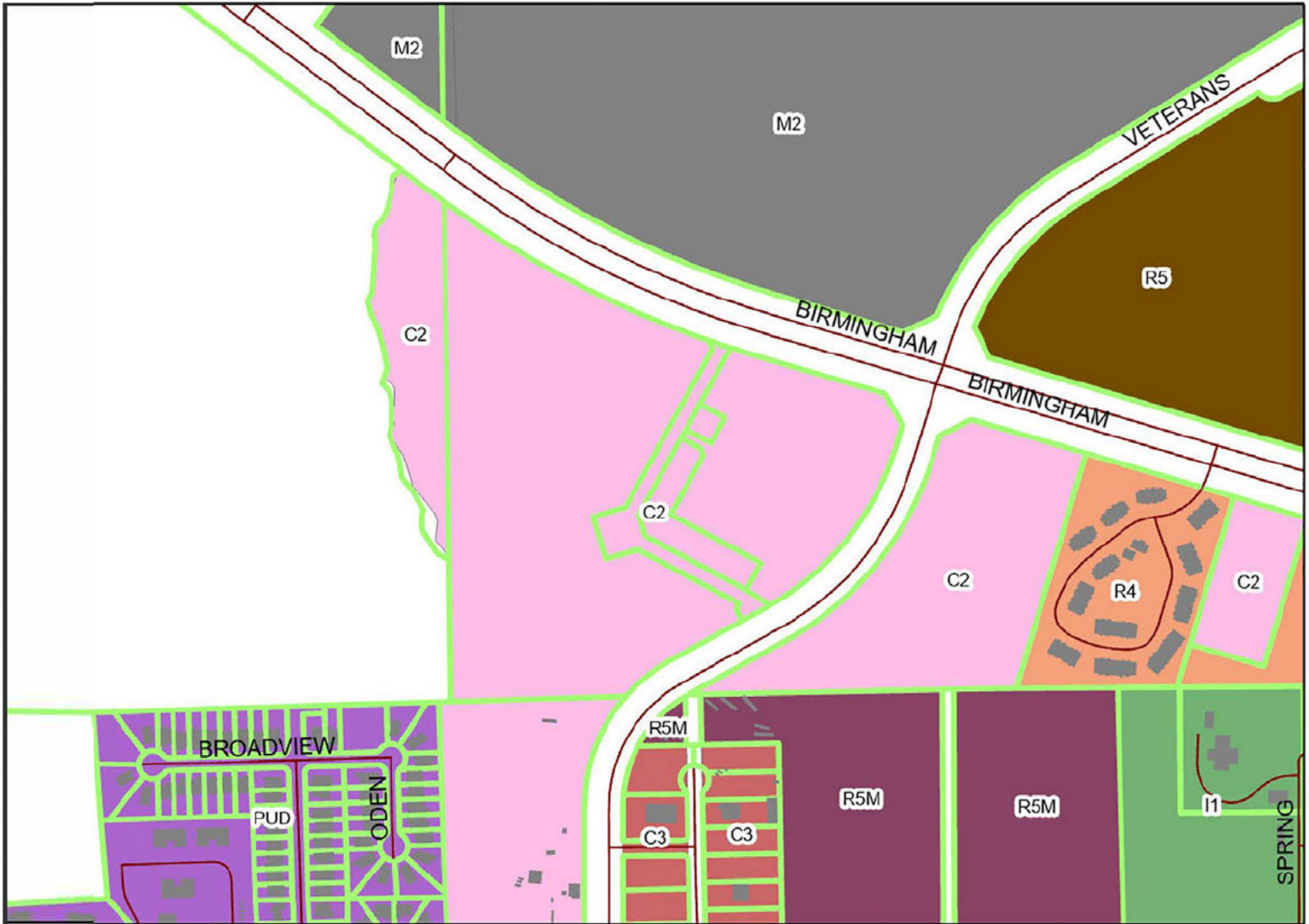
Opelika Water Board

Water Service is available from 12-inch mains on Veteran's Parkway and U.S. 280 Hwy West.

Opelika Power Services

This subdivision is in the Opelika Power Service territory.

**PERRYMAN HILL PLAZA PLAT NO. 1 SUBDIVISION
3615 BIRMINGHAM HIGHWAY
PRELIMINARY APPROVAL, A-1**

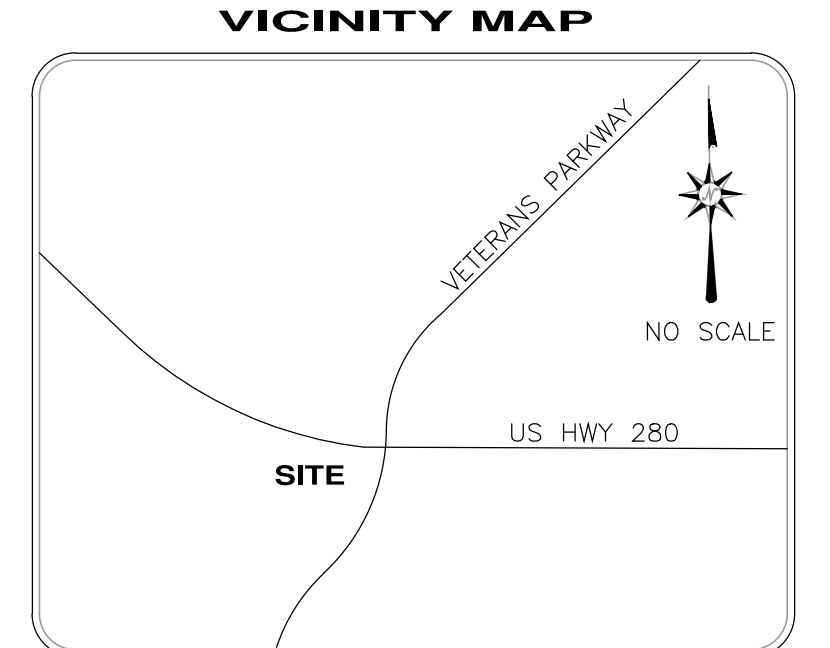
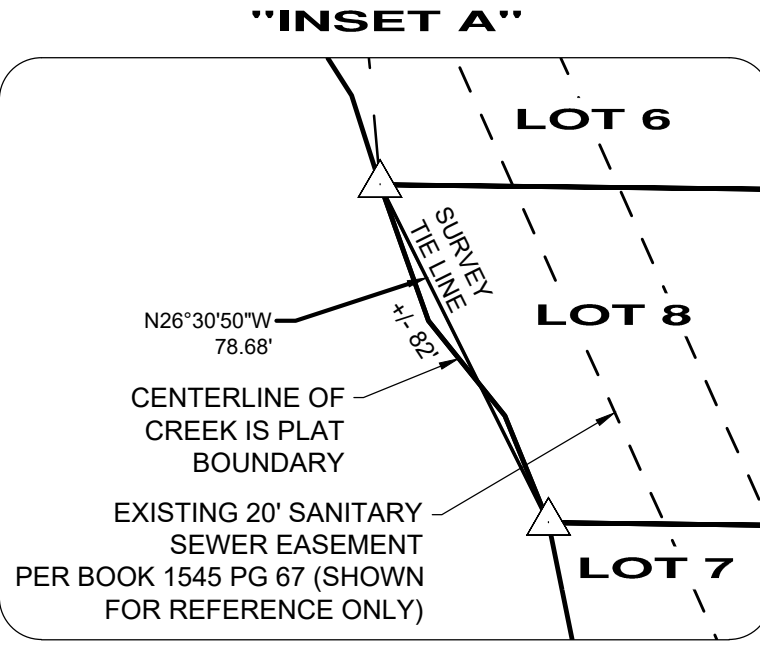
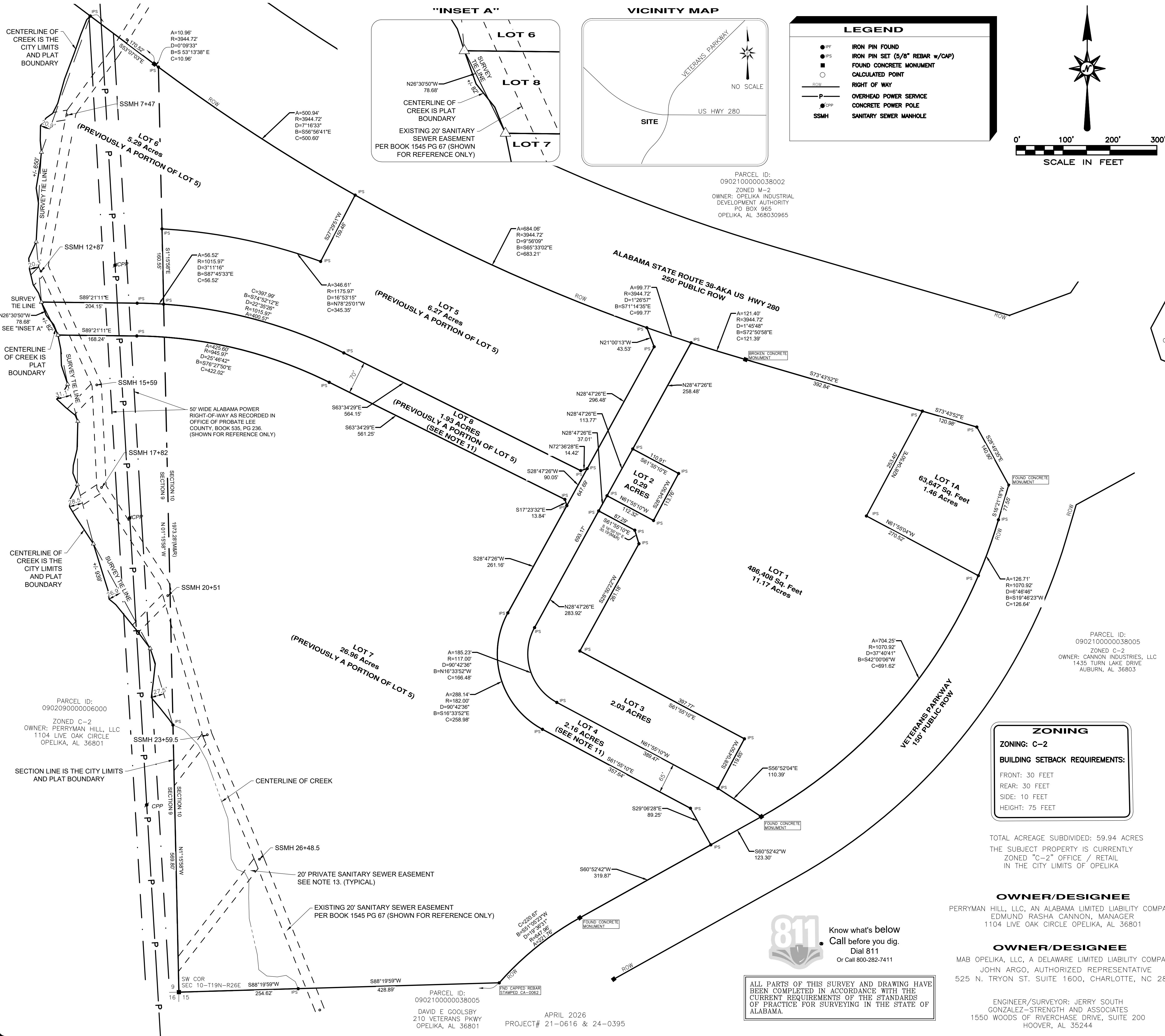


The applicant is requesting preliminary approval for 9 lots. The lots range from 12,632 sf to 26.9 acres. Lot 8 (1.9 acres) is platted for a future street.

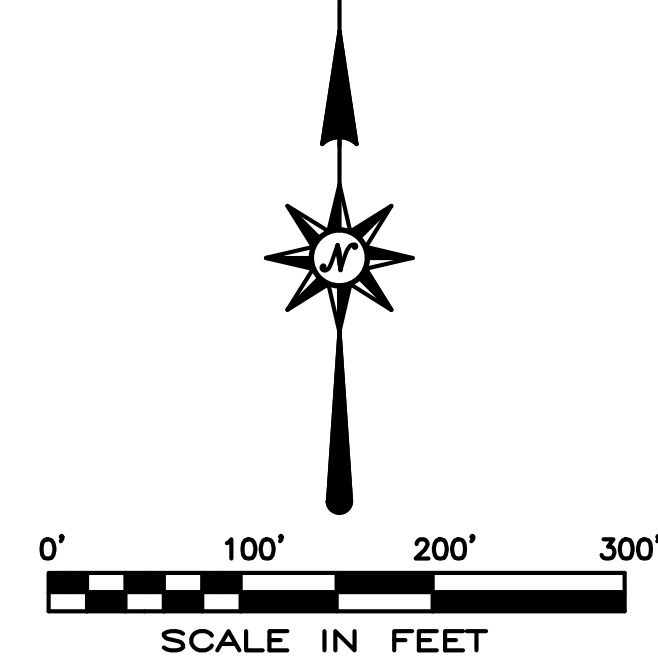


The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not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

N:\2024 Projects\Perryman Hill LLC\24-0395_Mixed Use Development\Opelika AL\Engineering\Construction Documents\A 24-0395_Survey Plat.dwg May 15, 2026 - 11:00 am



LEGEND table with symbols for IRON PIN FOUND, IRON PIN SET, FOUND CONCRETE MONUMENT, CALCULATED POINT, RIGHT OF WAY, OVERHEAD POWER SERVICE, CONCRETE POWER POLE, and SANITARY SEWER MANHOLE.



- NOTES 1-14: Survey Tie Lines, parent parcel info, building permit eligibility, zoning, easements, and other legal details.

ZONING: C-2
BUILDING SETBACK REQUIREMENTS:
FRONT: 30 FEET
REAR: 30 FEET
SIDE: 10 FEET
HEIGHT: 75 FEET

TOTAL ACREAGE SUBDIVIDED: 59.94 ACRES
THE SUBJECT PROPERTY IS CURRENTLY ZONED "C-2" OFFICE / RETAIL IN THE CITY LIMITS OF OPELIKA

OWNER/DESIGNEE
PERRYMAN HILL, LLC, AN ALABAMA LIMITED LIABILITY COMPANY
EDMUND RASHA CANNON, MANAGER
1104 LIVE OAK CIRCLE OPELIKA, AL 36801

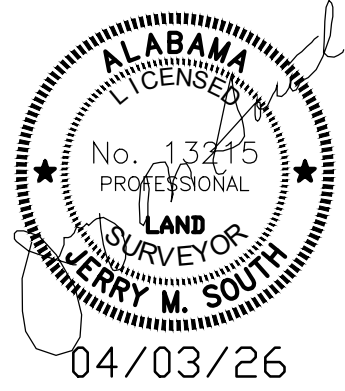
OWNER/DESIGNEE
MAB OPELIKA, LLC, A DELAWARE LIMITED LIABILITY COMPANY
JOHN ARGO, AUTHORIZED REPRESENTATIVE
525 N. TRYON ST. SUITE 1600, CHARLOTTE, NC 28202.

ENGINEER/SURVEYOR: JERRY SOUTH
GONZALEZ-STRENGTH AND ASSOCIATES
1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
HOOVER, AL 35244

PRELIMINARY PLAT
RESURVEY OF PERRYMAN HILL PLAZA
PLAT NO. 1
AS RECORDED IN PLAT BOOK 48, PAGE 48

Being a parcel of land situated in the Southwest one quarter of Section 10, and Southeast one quarter of Section 9, Township 19 North, Range 26 East Lee County, Alabama

GONZALEZ - STRENGTH & ASSOCIATES, INC. CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION. Includes contact info and logo.

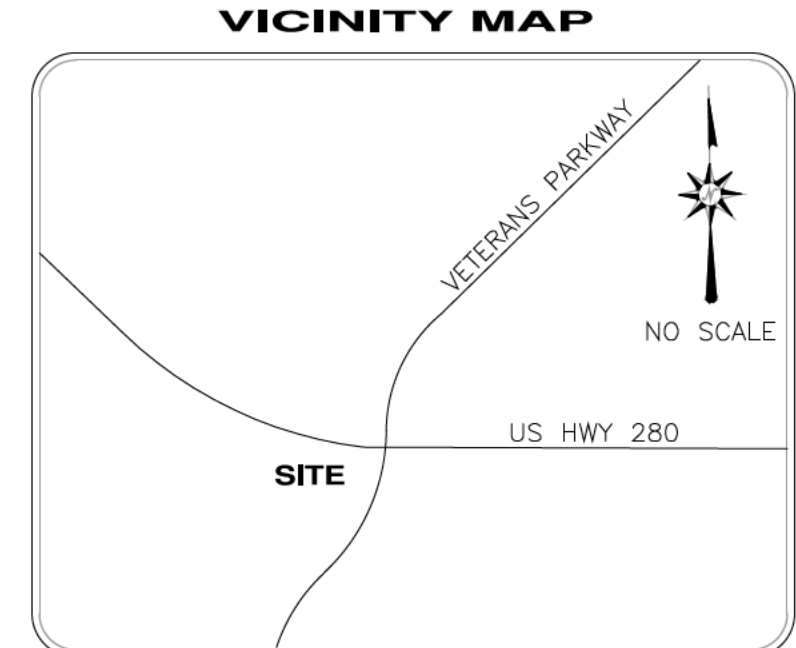
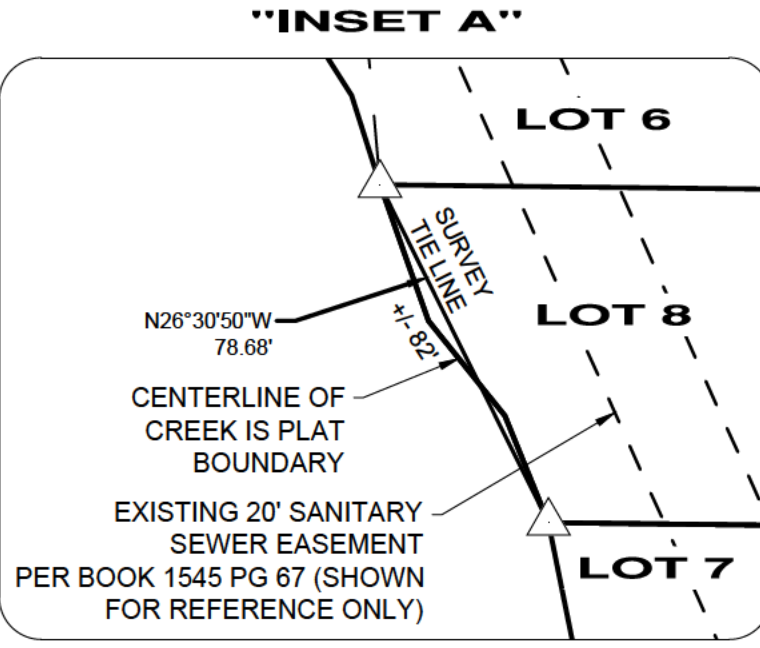
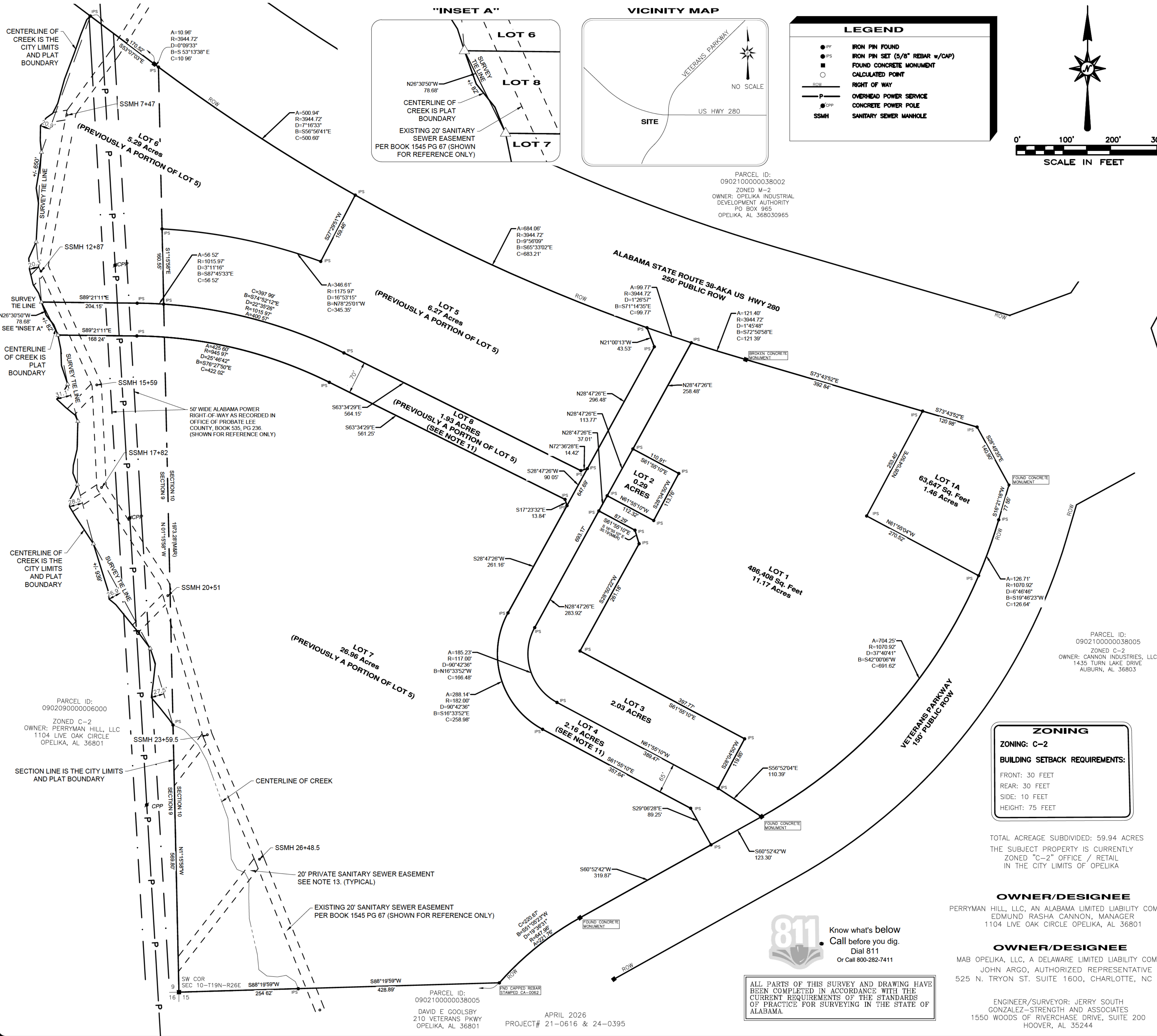


ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA.



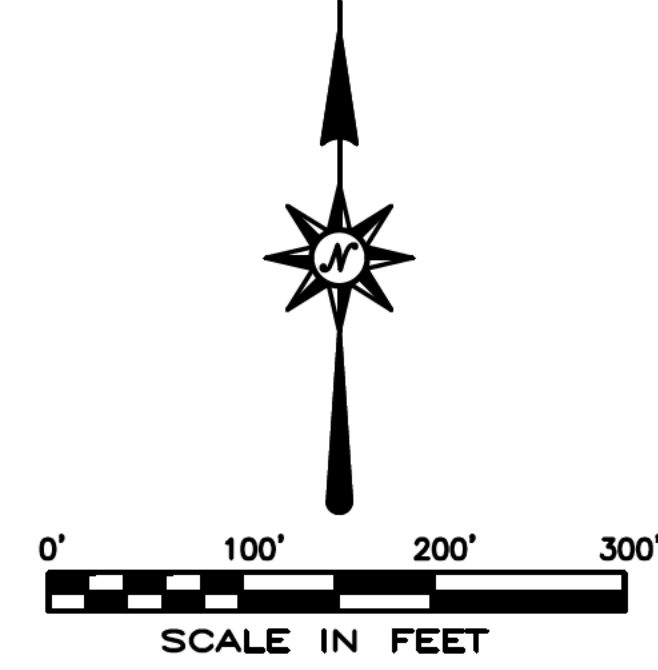
APRIL 2026
PROJECT# 21-0616 & 24-0395
DAVID E GOOLSBY
210 VETERANS PKWY
OPELIKA, AL 36801

N:\2024 Projects\Perryman Hill LLC\24-0395_Mixed Use Development\Opelika AL\Engineering\Construction Documents\A 24-0395_Survey Plat.dwg May 15, 2026 - 11:00 am



LEGEND

- IPF IRON PIN FOUND
- IPS IRON PIN SET (5/8" REBAR w/CAP)
- FCM FOUND CONCRETE MONUMENT
- CP CALCULATED POINT
- RW RIGHT OF WAY
- OP OVERHEAD POWER SERVICE
- CP CONCRETE POWER POLE
- SSMH SANITARY SEWER MANHOLE



PARCEL ID: 090210000038002
 ZONED M-2
 OWNER: OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY
 PO BOX 965
 OPELIKA, AL 368030965

ZONED R-4M
 OWNER: CANNON INDUSTRIES, LLC
 1435 TURN LAKE DRIVE
 AUBURN, AL 36803

PARCEL ID: 090210000038005
 ZONED C-2
 OWNER: CANNON INDUSTRIES, LLC
 1435 TURN LAKE DRIVE
 AUBURN, AL 36803

ZONING
 ZONING: C-2
BUILDING SETBACK REQUIREMENTS:
 FRONT: 30 FEET
 REAR: 30 FEET
 SIDE: 10 FEET
 HEIGHT: 75 FEET

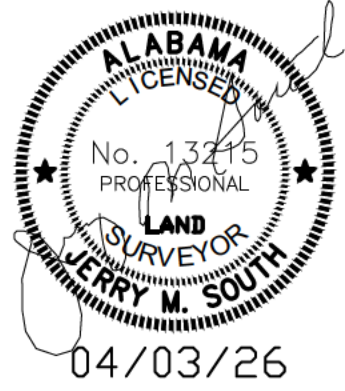
TOTAL ACREAGE SUBDIVIDED: 59.94 ACRES
 THE SUBJECT PROPERTY IS CURRENTLY ZONED "C-2" OFFICE / RETAIL IN THE CITY LIMITS OF OPELIKA

OWNER/DESIGNEE
 PERRYMAN HILL, LLC, AN ALABAMA LIMITED LIABILITY COMPANY
 EDMUND RASHA CANNON, MANAGER
 1104 LIVE OAK CIRCLE OPELIKA, AL 36801

OWNER/DESIGNEE
 MAB OPELIKA, LLC, A DELAWARE LIMITED LIABILITY COMPANY
 JOHN ARGO, AUTHORIZED REPRESENTATIVE
 525 N. TRYON ST. SUITE 1600, CHARLOTTE, NC 28202.

ENGINEER/SURVEYOR: JERRY SOUTH
 GONZALEZ-STRENGTH AND ASSOCIATES
 1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
 HOOVER, AL 35244

- NOTES**
- Survey Tie Lines are provided as a reference line where the centerline of the creek was located as the west boundary line of Lot 6, Lot 7, and Lot 8.
 - The parent parcel for Lot 6, Lot 7, and Lot 8 as recorded in Statutory Warranty Deed Book 2691 Page 664 in the Office of the Judge of Probate, Lee County, AL, is West of the Section Line of Sections 9 and 10 noted as Parcel ID 090209000006000 Owner Perryman Hill, LLC, 1104 Live Oak Circle, Opelika, AL 36801.
 - Lot 2 and Lot 3 are not eligible for a building permit until such time as a street has been constructed on Lot 4 and dedicated to and accepted by the City of Opelika as a public street right-of-way on the recorded Final Plat of the Resurvey of Perryman Hill Plaza Plat No. 1.
 - North arrow and bearings shown hereon are based on Transverse Mercator Projection - Alabama East Zone - NAD 83 adjusted 2011. Using Global Positioning System (GPS) and derived by RTK observation. Using the Alabama Department of Transportation CORS Network (IMAX).
 - According to the Flood Insurance Rate Map (FIRM) for Lee County, Alabama (community-panel number 01073C 0586 C, dated November 2, 2011), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
 - A private vehicular and pedestrian access easement over and across Lot 4 and Lot 8 is hereby created for the use by and benefit of Lot 1, Lot 1A, Lot 2, Lot 3, Lot 5, Lot 6, and Lot 7.
 - No dedications are made by this plat. Lots created for purpose of conveyance.
 - The parent parcel for Lot 1 and Lot 1A as recorded in Statutory Warranty Deed Book 2691 Page 664 in the Office of the Judge of Probate, Lee County, AL, noted as Parcel ID 09020000038000. The parent parcel for Lot 4 as recorded in Statutory Warranty Deed Book 2691 Page 664 in the Office of the Judge of Probate, Lee County, AL, noted as Parcel ID 090210000038008 Owner MAB Opelika, LLC, 525 N. Tryon St. Suite 1600, Charlotte, NC 28202.
 - The parent parcel for Lot 2, Lot 3, Lot 5, Lot 6, Lot 7, and Lot 8 as recorded in a Vesting Deed Book 2274 Page 683 in the Office of the Judge of Probate, Lee County, AL, Lot 2 noted as Parcel ID 090210000038006, Lot 3 noted as Parcel ID 090210000038007, Lot 5, Lot 6, Lot 7 and Lot 8 East of the Section Line of Sections 9 and 10 noted as Parcel ID 090210000038009 Owner Perryman Hill, LLC, 1104 Live Oak Circle, Opelika, AL 3680.
 - A purpose of this Preliminary Plat is to create a Resurvey of Perryman Hill Plaza Plat No. 1 by further subdividing Lot 1 thereon into Lots 1 and 1A hereon, further subdividing Lot 5 thereon into Lot 5, Lot 6, Lot 7, Lot 8 hereon, and revising portions of the bounds of Lot 3, Lot 4, and Lot 5 thereon to new configuration for the Lot 3, Lot 4, Lot 5 hereon.
 - Lot 4 and Lot 8 are each designated by this Plat to be developed with a street at a future date and are not eligible for a building permit.
 - All parcels and lots in this plat are zoned C-2 Office / Retail per the current City of Opelika zoning map.
 - A 20' wide private sanitary sewer easement to the Winston Street Interceptor from SSMH 7+47, 12+87, 15+59, 17+82, 20+51, 23+59.5, & 26+48.5 for the use and benefit of adjacent property currently owned by Perryman Hill, LLC, is hereby created.
 - Winston Street Interceptor sewer information provided by Opelika Public Works dated 03/03/06 & 09/13/11.



PRELIMINARY PLAT
RESURVEY OF PERRYMAN HILL PLAZA
PLAT NO. 1
 AS RECORDED IN PLAT BOOK 48, PAGE 48

Being a parcel of land situated in the Southwest one quarter of Section 10, and Southeast one quarter of Section 9, Township 19 North, Range 26 East Lee County, Alabama

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION
 1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
 HOOVER, ALABAMA 35244
 PHONE: (205) 942-2486
 FAX: (205) 942-3033
 www.Gonzalez-Strength.com
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811 Know what's below
 Call before you dig.
 Dial 811
 Or Call 800-282-7411

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.

PARCEL ID: 090210000038005
 DAVID E GOOLSBY
 210 VETERANS PKWY
 OPELIKA, AL 36801
 APRIL 2026
 PROJECT# 21-0616 & 24-0395

Agenda Item

B-2

Final Plat

Springs at Opelika Subdivision

Motion: Motion to approve or deny final plat with staff recommendations



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



DEADLINE: 4/29/26 MEETING: 5/26/26

SITE ADDRESS: <u>Gateway Drive & Society Hill Road</u>	
PROPERTY OWNER: <u>Capps Family Partnership, Ltd.</u>	
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, BSI, Inc.</u>	
MAILING ADDRESS: _____	
PHONE NUMBER: _____	FAX NUMBER: _____
EMAIL ADDRESS: _____	
TYPE OF PLAT APPROVAL REQUESTED	
<input type="checkbox"/> SKETCH PLAN	<input type="checkbox"/> ADMINISTRATIVE
<input type="checkbox"/> PRELIMINARY	<input checked="" type="checkbox"/> FINAL
Does the subdivision require any other official action by the City?	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Other _____	
PARCEL INFORMATION	
Subdivision Name: <u>Springs at Opelika</u>	Number of Lots: <u>7</u> x \$3.00 = \$ <u>N/A</u>
Current Land Use: <u>Vacant</u>	Number of APO: <u>10</u> x \$7.00 = \$ <u>N/A</u> (Adjacent Property Owners)
Current Zoning: <u>R1 / C2</u>	Fee: <u>\$75.00</u>
Proposed use of the Subdivision: <u>Multi-family Res./Commercial</u>	TOTAL = <u>\$75.00</u>
<input checked="" type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial
<input type="checkbox"/> Manufacturing/Industrial	<input type="checkbox"/> Office/Institutional
PAID _____	
<p>I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Springs at Opelika</u> Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.</p>	
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: 	4/29/26 DATE
(PRINT NAME) <u>Blake Rice, BSI, Inc.</u>	

AUTHORIZED TO ACT AS APPLICANT FOR PROPERTY OWNER

I, Capps Family Partnership, Ltd., being owner/authorized manager of the property(s) as described in this Subdivision Application hereby authorize

Blake Rice, LLC 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 See attached Date _____

STATE OF ALABAMA
COUNTY OF LEE

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

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

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

Notary Public

My Commission Expires: _____

SUBDIVISION APPLICATION REQUIREMENTS AND INFORMATION

1. Application due 1st Tuesday of each month. (Regular Meeting 4th Tuesday of each month at 3:00 PM CT; Work Session is 3rd Tuesday each month at 3:00 PM CT before each PC Meeting).
2. Application signed by property owner and/or authorized applicant.
3. Complete the 'Authorization to Act as Applicant', if applicable
4. Provide copy of the current Deed for the subdivision property
5. Provide a List of adjacent property owners on separate sheet.
6. Submit 26 copies of the plat (21 - 11 x 17 if legible; 4 - 24 x 36; 1 - 8 x 11). Copies must accompany and be made part of this application.
7. For preliminary plat approval only or preliminary & final approval combined, if allowed: **\$75 application fee, plus \$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.

AUTHORIZATION TO ACT AS APPLICANT

CITY OF OPELIKA PLANNING DEPARTMENT

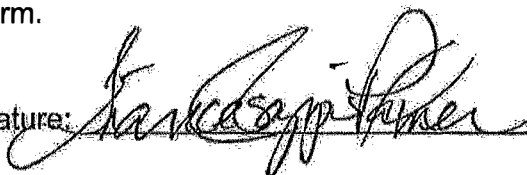
700 Fox Trail

Opelika, AL 36801

PH: (334) 705-5156 or FX: (334) 705-5159

I, Capps Family Partners, LTD, being owner of the property which is the subject of this application hereby authorize Blake Rice, BSI, Inc. to act as my representative with the City of Opelika's (Board of Zoning Adjustments, and/or Planning Commission, and/or City Council), as required by the type of request listed on the attached application form.

Property Owner's Signature:



Date:


01/31/22

STATE OF ALABAMA

COUNTY OF LEE

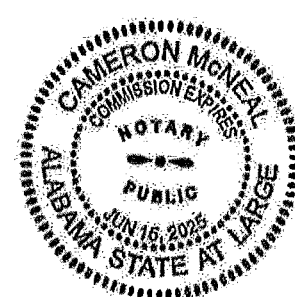
I, Cameron McNeal, a Notary Public in and for said County and State, hereby certify that FRANCES CAPPS PALMER, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily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

Given my hand and seal of office this 31 day of January, 2022



Notary Public

My Commission Expires: 12/15/2025



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

Meeting Date: May 26, 2026

Agenda Item #: B-2

Subdivision: Springs at Opelika Subdivision

Action Requested: Final Approval

Location of Property: Gateway Drive and Society Hill Road

Property Owner(s): Capps Family Partners, LTD
Blake Rice, 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

History:

The applicant is requesting final plat approval for a 7-lot subdivision on 34.47 acres. Lots 1, 2, 3, and 4 will be 1-acre or larger and used as commercial outparcels. Lot 6 will be 2.61 acres and includes the pond, which will be used for regional stormwater. Lot 7 will be retained for the current use as a single-family home on 14.11 acres and will take access from the existing drive on 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 Lots 5 and 6 to match the conditional use site plan requirements. A multi-use path is required along Gateway Drive from

Lot 1 to the roundabout. This will be built as the lots are developed. The lot sizes meet the minimum requirements of the R-1 and C-2, GC-P requirements.

Staff recommends preliminary approval subject to the following:

1. Add the landscape buffer around the apartment development to be shown on Lots 5 and 6.
2. Add a note on the final plat about ownership, maintenance responsibility, and use of the pond on Lot 6.
3. All utilities must be underground.
4. Sidewalks will be required along Gateway Drive.
5. The owner's name and address should be shown.
6. Some existing corner markers are not described, and no legend is shown for them.
7. Access to Lots 1-4 shall be limited to the shared easements as shown. No direct access shall be otherwise permitted.
8. Lot 7 shall not take direct access from Gateway Drive.

Engineering Department Report

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

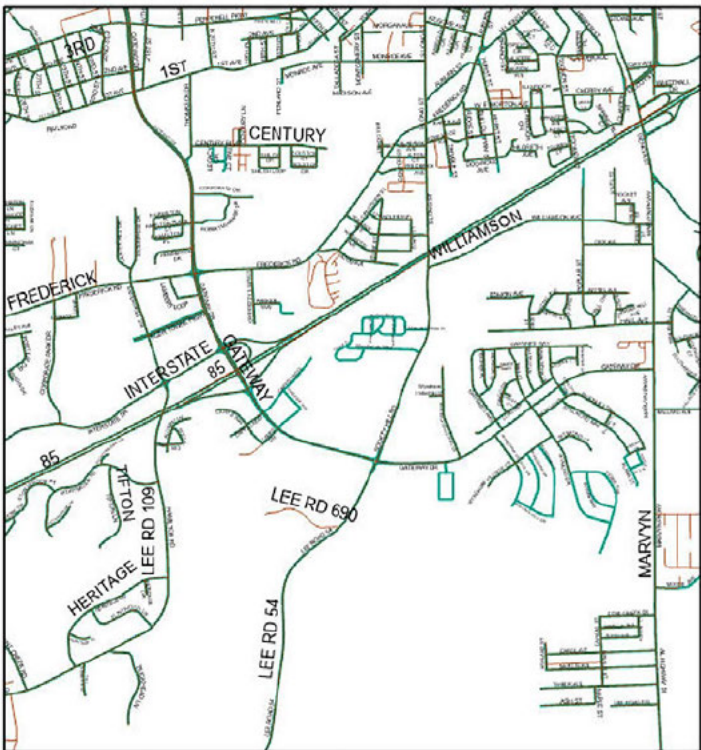
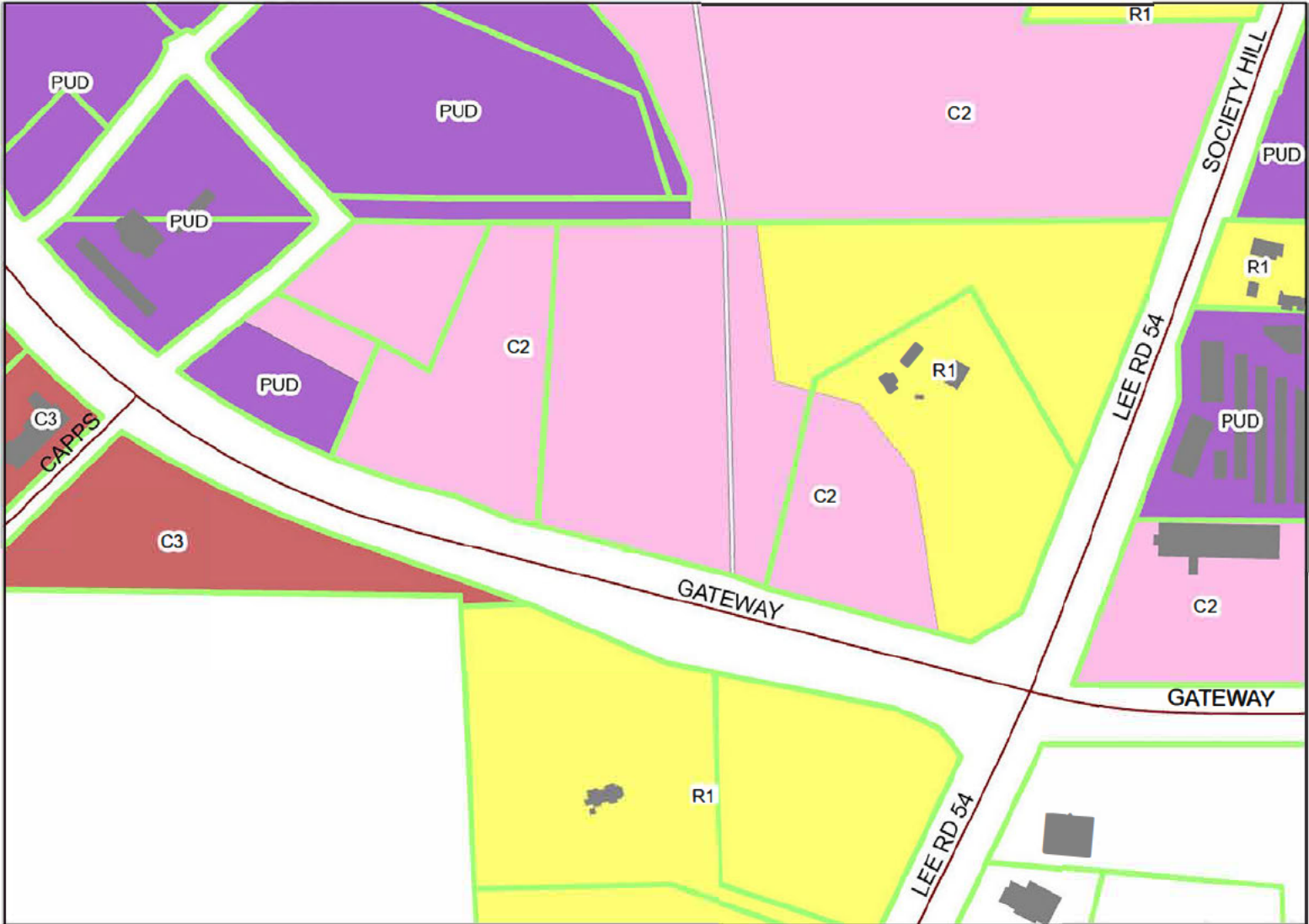
Opelika Utilities Board Report

Water Service is available from a 16-inch main along the south side of Gateway Drive.

Opelika Power Services Report

This subdivision is outside of the Opelika Power service territory.

SPRINGS AT OPELIKA SUBDIVISION GATEWAY DRIVE & SOCIETY HILL ROAD FINAL PLAT



The applicant is requesting final plat approval for nine lots in a R-1 and C-2 zoning district. Residential and commercial are propose: 252 apartment units and four commercial lots.

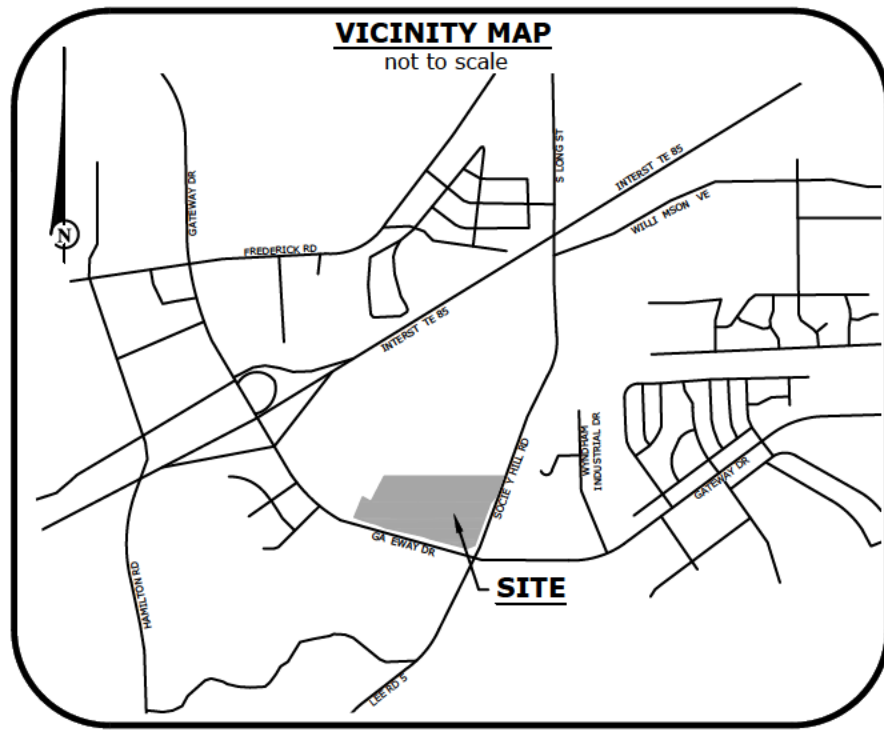


Subject Property

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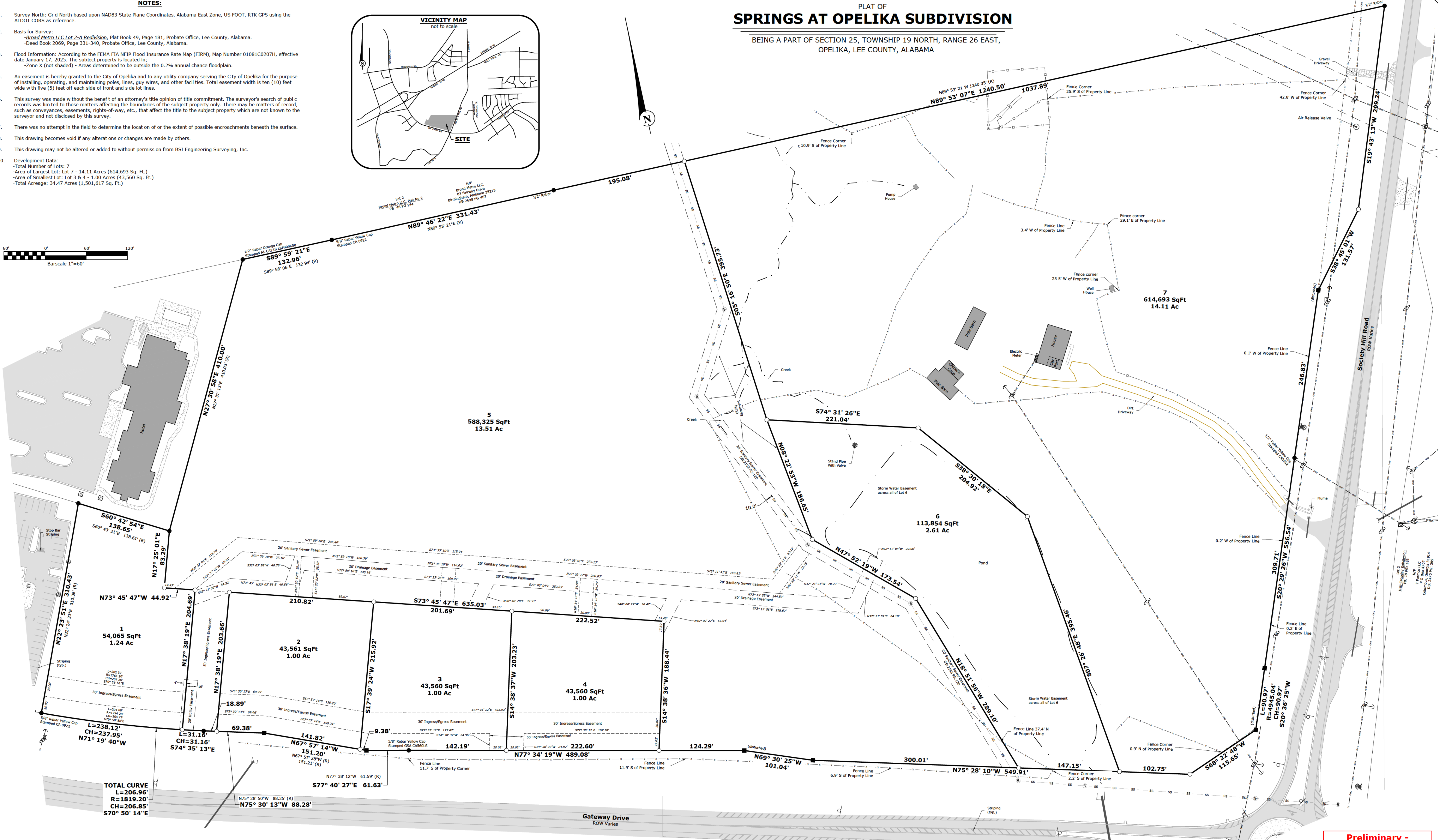
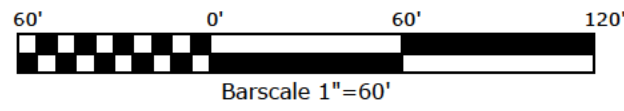
NOTES:

- Survey North: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT CORS as reference.
- Basis for Survey:
 - Broad Metro LLC Lot 2-A Redivision, Plat Book 49, Page 181, Probate Office, Lee County, Alabama.
 - Deed Book 2069, Page 331-340, Probate Office, Lee County, Alabama.
- Flood Information: According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map Number 01081C0207H, effective date January 17, 2025. The subject property is located in:
 - Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location or extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from BSI Engineering Surveying, Inc.
- Development Data:
 - Total Number of Lots: 7
 - Area of Largest Lot: Lot 7 - 14.11 Acres (614,693 Sq. Ft.)
 - Area of Smallest Lot: Lot 3 & 4 - 1.00 Acres (43,560 Sq. Ft.)
 - Total Acreage: 34.47 Acres (1,501,617 Sq. Ft.)



PLAT OF
SPRINGS AT OPELIKA SUBDIVISION

BEING A PART OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA



PROJECT NO: 25-0179

FIELD BY: DFW/CAJ FIELD DATE: 11/25/2025
DRAWN BY: JAH DRAW DATE: 01/21/2026

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: _____

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

Preliminary - For Review Only. Not For Construction, Recording Purposes, or Implementation
Date: 04/29/2026

Agenda Item

C-3

Annexation

6571 Highway 431 N.

Motion: Positive or negative recommendation to City Council

000215-2026

AGENDA ITEM # _____



PETITION FOR ANNEXATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

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

PC DEADLINE: _____ PC MEETING: _____



SITE ADDRESS: 6571 US Hwy North Opelika Ala. 36801

PROPERTY OWNER: Earnest Gunn Jr., Armurriel Gunn Dumas, College Holloway
Mary Ann Gunn

APPLICANT: Armurriel Gunn Dumas
College Holloway Opelika Ala 36801

PARCEL INFORMATION

Tax Parcel Number: 43 04 06 130 000 006.000

Street Address: 6571 US Hwy 431 North

Current Land Use: Resident Proposed Zoning: _____

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

Description of proposed use: Resident

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

1. Is this property(s) contiguous with Opelika City limits? yes
2. What is the population of proposed annexed area? _____
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? No
List type of business and location: _____

Proposed Zoning: R-1 Fee: \$250.00 per dwelling or \$250.00 per business

TOTAL = \$500.00

PAID _____

OWNERS SIGNATURE: <u>Armurriel Gunn Dumas</u>	DATE: <u>4-24-26</u>
(PRINT NAME) <u>Mary Ann Gunn</u>	<u>Mary Ann Gunn</u>
<u>College Dale Gunn</u>	<u>College Dale Gunn - 04-24-26</u>
<u>Earnest Gunn Jr.</u>	<u>Earnest Gunn Jr. 4-24-26</u>

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) 6571 US Hwy 781 North Opelika, AL 369 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.

Armond Gunn Dumas Armond Gunn Dumas
Mary Ann Gunn Mary Ann Gunn
Ernest Gunn Jr. Ernest GUNN Jr.
College Dale Gunn Holloway College Dale Gunn Holloway

Signature (owner)

Date 04-24-2026

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 cooperate limits of the City of Opelika, an incorporated Municipality, situated in Lee County, Alabama, with a population of more than two thousand (2,000) according to the most recent Federal Census, which said property, is more particularly described as follows:

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

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

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

RESPECTFULLY SUBMITTED this the _____ 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 he executed the same voluntarily
 for and as the act of said corporation, being duly authorized
 to do so, all on the day they say bears date. Given under
 my hand and official seal of office this the

 day of _____,
 _____ Notary Public

 (print name)

 (address)

 (city, state, zip)
 BY: _____
 (signature)
 ITS: _____
 (title)
 DATE: _____

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that
Earnest Gunn
 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
24 day of April
Lisa Harrelson
 Notary Public
 State of Alabama - State at Large
 My Commission Expires Jul. 08, 2029

Earnest Gunn Jr.
 (Signature)
Earnest Gunn Jr.
 (print name)
4201 Grand National Pkwy.
Opelika, Ala. 36801
 (mailing address)
 DATE: 4-24-26

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that
Armeniel Gunn Dumas
 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
24 day of April
Lisa Harrelson
 Notary Public
 State of Alabama - State at Large
 My Commission Expires Jul. 08, 2029

Armeniel Gunn Dumas
 (Signature)
Armeniel Gunn Dumas
 (print name)
6571 US Hwy 431 North
Opelika, Ala. 36801
 (mailing address)
 DATE: 4/24/2026

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that
Collage Dale Gunn
 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
24 day of April
Lisa Harrelson
 Notary Public
 State of Alabama - State at Large
 My Commission Expires Jul. 08, 2029

Collage Dale Gunn
 (Signature)
Collage Dale Gunn
 (print name)
300 North Uniroyal Rd 64
Opelika Ala. 36804
 (mailing address)
 DATE: _____

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

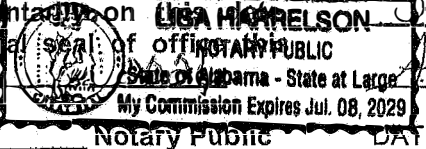
 day of _____,
 _____ Notary Public

 (print name)

 (address)

 (city, state, zip)
 BY: _____
 (signature)
 ITS: _____
 (title)
 DATE: _____

I, the undersigned authority, a Notary Public in and for
 said County and State, hereby certify that
Mary Ann Gurn
 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 _____
 Given under my hand and official seal of office
24 day of April
Lisa Harrelson
 _____ Notary Public



Mary Ann Gurn
 (Signature)
Mary Ann Gurn
 (print name)
5020 U.S. Hwy 29 South
Auburn, AL 36830
 (mailing address)
 DATE: 4-24-26

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

 (Signature)

 (print name)

 (mailing address)
 DATE: _____

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

 (Signature)

 (print name)

 (mailing address)
 DATE: _____

CITY OF OPELIKA
Planning Commission
Planning Department Report

Meeting Date: May 26, 2026

Agenda Item: C-3

Action Requested: Annexation

Location of Property: 6571 Highway 431 (Lafayette Parkway)

Property Owners: Mary Ann Gunn, Earnest Gunn, Jr., Armuriel Gunn Dumas,
College Dade Gunn Holloway

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1

Existing Land Use: Single Undeveloped

Adjacent Zoning/Land Use: North: PJ (Planning Jurisdiction) Undeveloped
South R-1 Single family home, rural
East: R-1, Undeveloped
West: PJ (Planning Jurisdiction) Undeveloped

Staff Comments:

The applicant is requesting to annex a 35,098 square foot lot located on Highway 431 (Lafayette Parkway) into the City limits. The property borders the City limits along the south property line. The property has a 1,400 square foot single family home and a 1,070-sf mobile home. The two dwellings are accessed from one driveway on Lafayette Parkway. The two dwellings are home for six family members. The property owner desires annexation so a grandson can attend Opelika City schools. Properties in Lee County out of the City limits are served by Lee County's volunteer fire department. Annexed properties are served by the City Fire department. Public water and sewer are not available to the annexed property. The two dwellings are served by a well and septic tank.

The Zoning Ordinance provides that annexations are automatically designated as an R-1 (rural, single-family residential) zoning district. If another zone is requested then a public hearing is required. All properties adjacent and near the applicant's property are zoned R-1.

Staff recommends the Planning Commission send a positive recommendation to the City Council to annex the 35,098 square foot lot. An R-1 zone will be assigned to the property.

Engineering Department Report

Engineering has no comments or concerns regarding the proposed Annexation

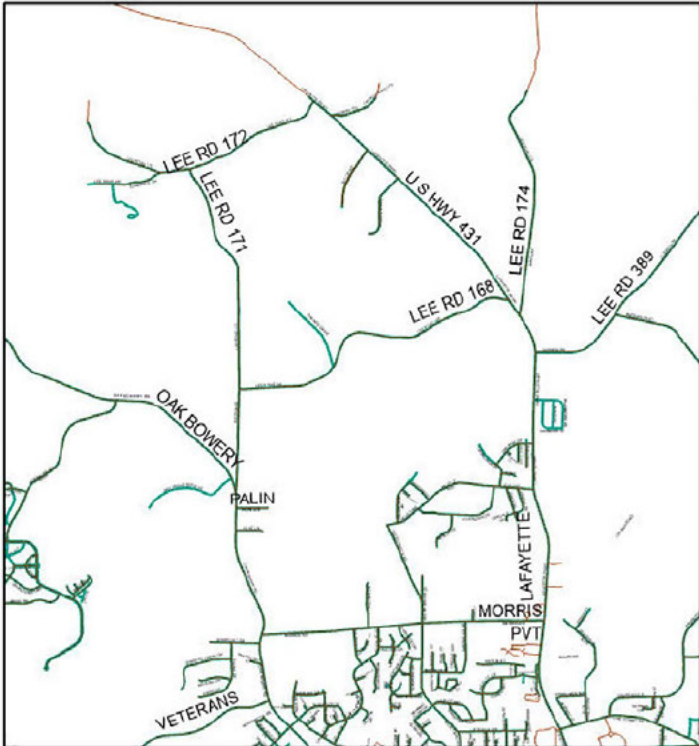
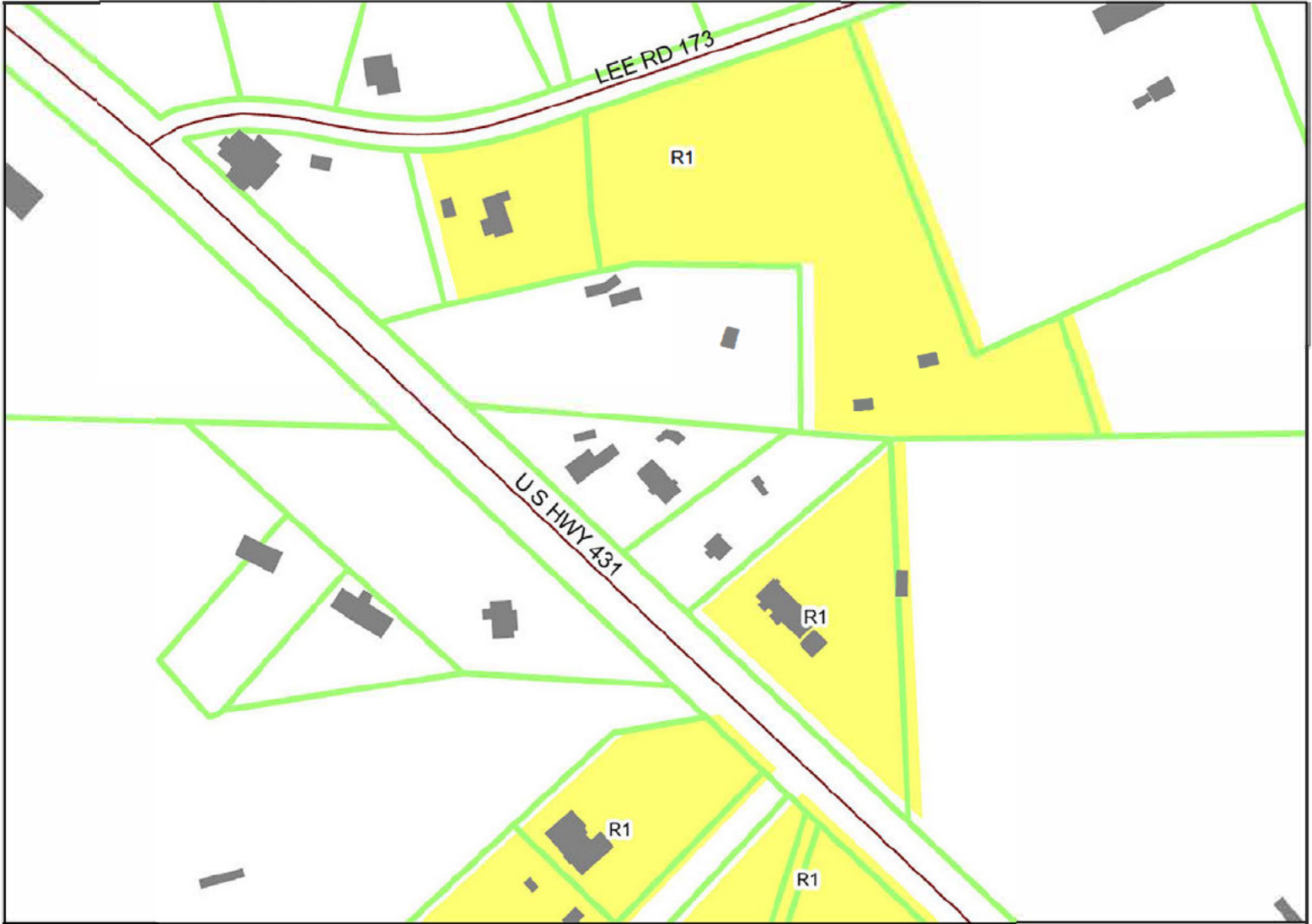
Opelika Water Board

This lot is not in Opelika Water's Service Territory. No other comments.

Opelika Power Services

This Property is outside of the Opelika Power service territory.

**GUNN, DUMAS, HOLLOWAY ANNEXATION
6571 HIGHWAY 431 NORTH (LAFAYETTE PKWY)
R-1 ZONE REQUESTED**



The applicants are requesting annexation for one lot at 35,098 square feet. The applicant is requesting a R-1 zoning district.



Subject Property

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



U.S. HWY 431

LEE RD 172

LEE RD 173

LEE RD 174

LEE RD 683

TAYLOR

U.S. HWY 431

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

Agenda Item

D-4

Text Amendment to the Zoning Ord.

Motion: Positive or negative recommendation to City Council

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

Meeting Date: May 26, 2026

Agenda Item #: D-4

Action Requested: Text Amendment –
A. Amend Section 2.2 Definitions
B. Amend Section 7.3 Use Categories
Amend Section 8.28.5 Package Liquor Store and Consumable
Hemp

Staff has provided some regulations for review. In previous meetings the Planning Commission has wanted to take time to review changes to package stores. If there are desired changes, we can amend them and resubmit for the June Planning Commission meeting.

Engineering Department Report

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

Opelika Utilities Board Report

No comment.

Opelika Power Services Report

No comment.

Underlined – added

~~Strikeout~~ - removed

Alcohol

Package Liquor Store

Package Store. A place or premise for the principal purpose of selling at retail, alcoholic beverages by the keg, bottle, can, pack or case, for off-premise consumption. (seems redundant)

Package Liquor Store. An establishment licensed by the City where liquor is authorized to be sold in unopened containers for off premise consumption. The definition of package liquor store also includes any licensed club or lounge licensed by the Alabama Alcoholic Beverage Control Board to sell and disburse liquor in unopened containers for off premise consumption. The definition shall **not** include liquor stores operated by the Alabama Alcoholic Beverage Control Board where alcoholic beverages are authorized to be sold in unopened containers. The definition does not include a business selling only beer and/or wine for off premise consumption.

Beer & Wine Store- A business establishment licensed by the State of Alabama Alcoholic Beverage Control Board to sell beer and/or wine to consumers for off-premises consumption. This shall not include establishments that sell products for on-premises consumption; those establishments where beer and wine sales are accessory to primary use such as grocery stores, convenience stores, or pharmacies; or those establishments that engage in the production of beer or wine.

Lounge Retail Liquor Class II - Store (ABC Store) – A business establishment operated by the Alabama Alcoholic Beverage Control Board to sell and disburse liquor in unopened containers for off premise consumption.

Retail tobacco/vape/hookah store -means a retail store utilized primarily for the sale of tobacco, hookah, or electronic smoking device products and accessories, or any combination thereof, and in which the sale of other products is merely incidental.

Specialty Retailer of Consumable Hemp Products – a retailer that only sells consumable hemp or sells consumable hemp or a licensed package liquor store that sells consumable hemp.

Underlined – added

~~Strikeout~~ - removed

Pharmacy Consumable Hemp Products Retailer - a pharmacy licensed by the Alabama State Board of Pharmacy, provided the pharmacy obtains a consumable hemp product retailer license from the Alcoholic Beverage Control Board.

Retail Food Store Consumable Hemp Products Retailer –any store commonly known as a supermarket, food store, or grocery store licensed to sell consumable hemp which is primarily engaged in the retail sale of a variety of canned goods, frozen foods, nonalcoholic beverages, dry goods, either packaged or in bulk, and fresh produce or meats, and the store dedicates: (i) a minimum of 75 percent of the store’s selling area to the sale of food items listed in this subdivision; and (ii) at least 14,000 square feet of the store’s footprint to the sale of food items listed in this subdivision.

Special Development Standards

B. Use Standards and Dispersal Requirements

The following standards and requirements are required for any package liquor stores, Retail tobacco/vape/hookah stores, or Specialty Retailer of Consumable Hemp Products

subject to conditional use approval:

1. No package liquor store shall be permitted within a radius of 1,500 feet of any other package liquor store. This distance shall be measured from door to door.
2. The minimum gross floor sales area for the package liquor stores shall be 2,000 square feet.
3. Package Liquor stores and Specialty Retailer of Consumable Hemp Products shall be an adjunct to one of the following enumerated primary businesses and whose total area of the licensed premises devoted to the retail sale of all products be a minimum of 14,000 square feet:
 - a. Supermarket or grocery store; and/or
 - b. Drug store.
4. No sales shall be conducted through a walk-up window or drive-through.

Underlined – added

~~Strikeout~~ - removed

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

Underlined – added

Strikeout - removed

USES

DISTRICTS

COMMERCIAL CONTINUED

R-

R- 1 R- R- R- R- R- R- R- C- C- C- M- M- I- GC- GC-
1 A 2 3 4 4M 5 5M 1 2 3 1 2 1 P S

Package Liquor Store	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	NC	<u>C</u>	NE	<u>N</u>	<u>N</u>	NC	<u>N</u>
Beer & Wine Store	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>
Lounge Retail Liquor Class II Store (ABC Store)	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>
Retail tobacco/vape/hookah store	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>
Specialty Retailer of Consumable Hemp Products	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>
Pharmacy Consumable Hemp Products Retailer	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>
Retail Food Store Consumable Hemp Products Retailer	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>

Agenda Item

E-5

Street Renaming

Public Hearing

Motion: Positive or negative recommendation to City Council

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: May 26, 2026

Agenda Item D-5

Action Requested: Recommendation to City Council to rename Jo-Ann Drive to Faith Way

Staff Comments: The former site of the Jo-Ann Distribution has a small public road that connects the site and a few other parcels. There are no addresses on Jo-Ann Drive. A new company Faith Technologies is locating on the former Jo-Ann site. The new company has asked that the address be something not tied to the old company. Faith Way is general enough that it would not need to be renamed in the future if there were a later change in occupancy.



Staff recommends Planning Commission provide a positive recommendation to City Council to rename Jo-Ann Drive to Faith Way.

Engineering Department Report

The Engineering Department agrees with this name change since the original property owner that assigned the name has relocated.

Opelika Utilities Board Report

No Comments.

Opelika Power Services Report

No Comments.
