



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
February 22, 2022
TIME: 3:00 PM**

- A. 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.

- B. APPROVAL OF MINUTES

- C. UPDATE ON PREVIOUS PC CASES

- D. PLAT (Preliminary Only) - Public Hearing
 - 1. Wyndham Village SD, Phase 3, 100 lots, Wyndham Village Drive, Brandon Bolt, Bolt Engineering, Inc, Preliminary Approval
 - 2. Drakes Landing SD, Phase 2, 117 lots, South Uniroyal Road, Brandon Bolt, Bolt Engineering, Inc, Preliminary Approval

- E. FINAL PLAT
 - 3. Flat Stone Estates SD, Phase 2, 11 lots, Lee Road 483 (Loblolly Drive), Keith Henderson and Arthur Nettles, Final Approval

- F. CONDITIONAL USE - Public Hearing
 - 4. Matt Cobb, LLC, 621 Columbus Parkway, C-3, GC-P, Automotive retail sales and truck accessories and sales.
 - 5. Jim Daws, South 10th Street and Avenue C, 182 unit apartment development. Conditional Use approval is subject to rezoning approval of the apartment property by the Opelika City Council.
 - 6. Blake Rice, 375 West Point Parkway, R-4, Add 36 apartment units to Pinehurst Apartments.

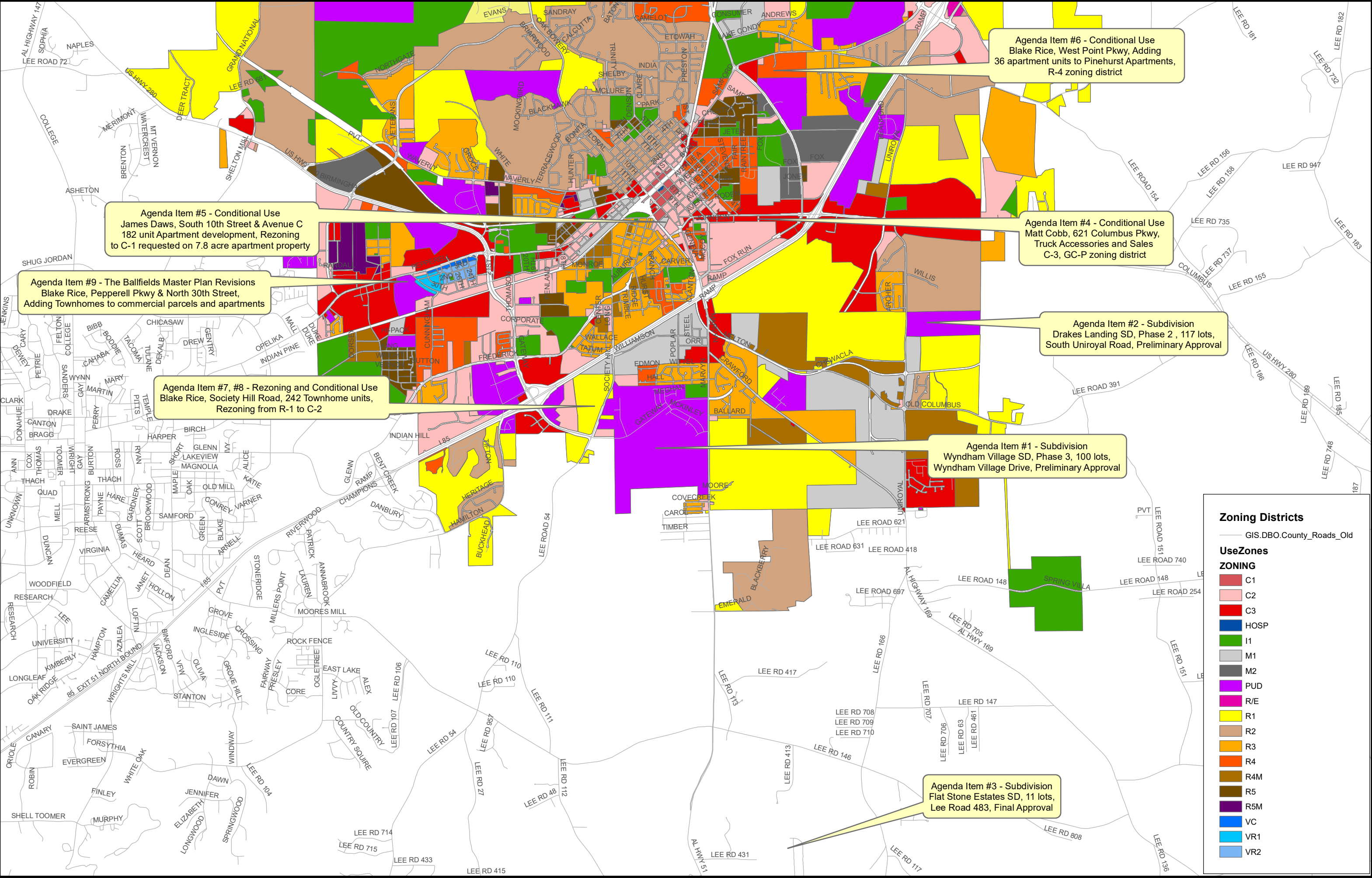
- G. REZONING AND CONDITIONAL USE - Public Hearing
 - 7. Rezoning Request, Blake Rice, 40 acres, Society Hill Road, from C-2 and R-1 to C-2

8. Blake Rice, Society Hill Road, 242 townhome units, Conditional use approval is subject to rezoning approval of the townhome property by the Opelika City Council.

H. MASTER PLAN REVISIONS - Public Hearing

9. The Ballfields Master Plan, Minor Amendment to Master Plan, Pepperell Parkway & North 30th Street, Blake Rice, Decrease apartment units and add 36 townhome units to the Master Plan.

“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)705-2083.”



Agenda Item #5 - Conditional Use
James Daws, South 10th Street & Avenue C
182 unit Apartment development, Rezoning
to C-1 requested on 7.8 acre apartment property

Agenda Item #9 - The Ballfields Master Plan Revisions
Blake Rice, Pepperell Pkwy & North 30th Street,
Adding Townhomes to commercial parcels and apartments

Agenda Item #7, #8 - Rezoning and Conditional Use
Blake Rice, Society Hill Road, 242 Townhome units,
Rezoning from R-1 to C-2

Agenda Item #6 - Conditional Use
Blake Rice, West Point Pkwy, Adding
36 apartment units to Pinehurst Apartments,
R-4 zoning district

Agenda Item #4 - Conditional Use
Matt Cobb, 621 Columbus Pkwy,
Truck Accessories and Sales
C-3, GC-P zoning district

Agenda Item #2 - Subdivision
Drakes Landing SD, Phase 2 , 117 lots,
South Uniroyal Road, Preliminary Approval

Agenda Item #1 - Subdivision
Wyndham Village SD, Phase 3, 100 lots,
Wyndham Village Drive, Preliminary Approval

Agenda Item #3 - Subdivision
Flat Stone Estates SD, 11 lots,
Lee Road 483, Final Approval

Zoning Districts
GIS.DBO.County_Roads_Old

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



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

January 25, 2022

TIME: 3:00 PM

A. ELECT OFFICERS TO PLANNING COMMISSION (Chairman, Vice Chairman)

The City of Opelika Planning Commission held its regular monthly meeting January 25, 2022 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: Chairman Lewis Cherry, Mayor Gary Fuller, Mr. Ira Silberman, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Ms. Lucinda Cannon, Mr. Michael Hilyer, and Mr. John Sweatman.

MEMBERS ABSENT: None.

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

CALL TO ORDER: Chairman Lewis Cherry called the meeting to order at 3:00 p.m.

Mr. Mosley opened the nominations for the Chair position.

Motion to nominate Lewis Cherry as the returning Chairman

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Fuller

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

Mr. Mosley closed the nominations for the Chair position.

Mr. Mosley opened the nominations for the Vice Chair position.

Motion to nominate Lucinda Cannon as the returning Vice Chair

RESULT: **Passed**
MOVER: Sweatman
SECONDER: Mayor Fuller
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer,
 Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

Mr. Mosley closed the nominations for the Vice Chair position.

B. APPROVAL OF MINUTES

Approval of Planning Commission Minutes December 21, 2021

RESULT: **Passed**
MOVER: Director Mike Hilyer
SECONDER: Councilman Ward 1 Willie Allen
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer,
 Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

C. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated there are no updates on previous Planning Commission cases at this time.

D. REZONING, PRELIMINARY AND FINAL PLAT, AND VACATION RIGHT-OF-WAY - Public Hearing

1. **Rezoning Request, Jim Daws, authorized representative for Marsh Real Estate Investments, LLC, 7.8 acres, South 10th Street and Avenue C, from M-1, GC-S and C-2, GC-S to C-1 (downtown)**

Mr. Mosley reported the 2030 Future Land Use Map (FLUM) shows a 3.5 acre area in a “private manufacturing” land use category. The remaining 4.3 acres of the 7.8 acre rezoning property is in a “light commercial” land use category. A “light commercial” land use category on the Future Land Use map includes the C-1 or C-2 zoning districts. The amendment to the FLUM for this rezoning request is for the 3.5 acres. The 3.5 acre private manufacturing area was first developed in the 1920s. Today, most of the 3.5 acres is undeveloped except for vacant buildings and a few buildings used for retail/office space. If the rezoning request is approved the 2030 FLUM should be amended so the 3.5 acres is in the “light commercial” land use category.

On the 2030 FLUM, the adjacent properties on all sides of the rezoning property are in a ‘light commercial’ land use category. Four adjacent properties are commercial uses, three lots are vacant commercial buildings, and two lots undeveloped.

Staff Recommendation

The rezoning request to C-1 requires an amendment to the 2030 FLUM concerning 'land use category. The applicant plans to construct a 182 unit apartment development. If the rezoning request is approved, staff recommends the 2030 Future Land Use map be amended for the 3.5 acre portion of the rezoning property from a "private manufacturing" land use category to a "light commercial" land use category.

Rezoning

The applicant is requesting rezoning 7.8 acres from M-1, GC-S and C-2, GC-S to C-1 for a market-rate apartment development. The development consists of four 4-story apartment buildings with a total of 182 units with outside and inside amenities. The 7.8 acre rezoning property is bordered by three right-of-ways: South 10th Street, Avenue C, and Central of Georgia railroad right-of-way. Clanton Street runs adjacent/parallel to the railroad; the Clanton Street and railroad ROW combined provide a 150 foot wide space between the rezoning property and the businesses along Clanton Street. The southeast border of the rezoning property is the only side that is not a right-of-way; a law office and the Municipal Court property borders the development on the southeast side.

The rezoning property is adjacent to a C-1 zoning district, and C-1 property is across Avenue C from the rezoning property. The corner lot at 10th Street and Avenue C is zoned C-2, and the adjacent lot to this corner lot is zoned C-1. In 2016, this narrow 7,400 sf lot was rezoned from C-2 to C-1 as well as the former Opelika Light & Power property is zoned C-1; the former Opelika Power (2.4 acres) property is across Avenue C from the rezoning property. (The rezoning property is also in the Gateway Corridor overlay zoning district that runs along South 10th Street. The boundary line for the Historic District is along South 10th Street and borders the rezoning property.)

The adjacent land uses on all sides of the 7.8 acre rezoning property are zoned C-2 or C-2, GC-S except the C-1 zone property across Avenue C. The adjacent land uses along South 10th Street are two business offices, a law office (Dean & Barret), two vacant commercial buildings, and two undeveloped lots. The adjacent properties on Avenue C are the 'Shops at Southerly' providing retail tenant space and the former Opelika Power building vacant. Along Clanton Street are three businesses, a church, and an undeveloped lot. The subject location is a convenient place to live, its close to work space and near downtown shops and restaurants. All within walking distance.

Recommendation

In past years, more retail shops, offices, and restaurants opened in the C-1 downtown district, then interest in living downtown (loft apartments) increased; the "Downtown Living" ordinance (1997) was adopted to accommodate the demand for commercial and residential uses together in the downtown C-1 district. In recent years, in the vicinity of South 8th Street and Avenue D and in walking distance to downtown, single family home construction has increased. The existing mixed use in C-1 has proven to be appropriate providing downtown residential occupants convenient access to offices, commercial uses, and entertainment. The mixed use or the blending together of commercial with loft

apartments & nearby single family homes has now encouraged multi-family development (apartments).

The 7.8 acre rezoning property is adjacent to a C-1 zoning district. There are three adjacent commercial uses (offices) on South 10th Street, but most adjacent properties across South 10th Street and Avenue C are vacant commercial buildings or undeveloped lots. The proposed zoning is reasonable given the current condition of the adjacent land uses. The zone would provide more downtown residential and compatible uses.

Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property M-1, GC-S and C-2, GC-S to C-1.

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns with the proposed rezoning application.

Mr. Parker reported for the Opelika Utilities Board, no comment.

Mr. Parker reported for the Opelika Power Services, this is in the Opelika Power Service Territory.

Chairman Cherry opened the public hearing for the Future Land Use Map and the Rezoning Request at the same time.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant approval for the amendment to the Future Land Use Map with staff recommendations

RESULT: Passed
MOVER: Ira Silberman
SECONDER: Lucinda Cannon
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

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

RESULT: Passed
MOVER: Lucinda Cannon
SECONDER: Leigh Whatley
AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: None
ABSTAIN: None

2. **Sierra Development Group SD, 2 lots, South 10th Street and Avenue C, Jim Daws, authorized representative for Marsh Real Estate Investments, LLC, Preliminary and Final Approval**

Mr. Mosley reported the applicant is requesting preliminary and final plat approval for a two lot subdivision. Currently, the subdivision total area is 7.8 acre area with 7 lots. The subdivision today erases lot lines so two lots exists. One lot is 7 acres the other lot .87 acres (37,897 sf). The purpose of the subdivision is to combine lots for a future development on the 7 acre lot. The .87 acre lot is not part of the development; three commercial buildings are on the .87 acre lot used/available for commercial space. All the buildings on the 7 acre lot will be removed for the future development except a cotton gin building near the railroad right-of-way (or the building nearest to the southwest property line). A 15 foot wide alley (625' long) running across the 7 acre parcel from South 10th Street to the railroad right-of-way will be vacated (next agenda item)

Staff recommends preliminary and final plat approval subject to the following:

1. Add the standard Opelika easement certificate: "An easement is hereby granted to the City of Opelika and to any utility companies serving the City of Opelika for the purpose of installing, operating, and maintaining pole lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five feet on each side of the front and side lot lines."
2. Include the adjoiner information for those property owners directly across streets and other rights-of-way.
3. Add certifications for the owner/developer and notary statement.
4. Include the owner/developers' name and address.
5. Add certifications for the Planning Commission Chairman, City Planner, City Engineer, OPS, Opelika Utilities, and Public Works.
6. Add a vicinity map.
7. Where different, record courses & distances should be shown with measured ones for comparison.
8. The surveyor/applicant may obtain the City's Subdivision Regulations at <https://www.opelika-al.gov/DocumentCenter/View/96/Subdivision-Regulations-PDF?bidId=>
9. The Opelika Municipal Court property is adjacent to this plat along the southeast proerty line; the surveyor may contact the Planning department to obtain the Municipal Court recorded plat for additional information it may provide.

Mr. Parker reported for Engineering, the Engineering Department will request additional Right-of-way (ROW) on the subdivisions side of South 10th Street to accommodate any future roadway expansion and improvement. The amount of ROW needed will be determined by discussions between the Engineering Department and the applicant.

The Engineering Department has no other comments or concerns with this subdivision and recommends Preliminary and Final Plat approval.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible by mains on Avenue C and South Tenth Street.

Mr. Parker reported for the Opelika Power Services, this is in the Opelika Power Service Territory.

Chairman Cherry opened the public hearing.

Tutt Barrett, 457 South 10th Street, stated Joe Dean and I are the owners of what was referred to as the law firm lot next door. Our concern is probably better addressed when there is a development plan that comes forward, but we are just more concerned with pedestrian traffic that might be wandering through our parking lot from a new multipurpose development that is now behind us. Obviously, at this point with the condition of that lot, which is mostly kudzu, we don't have people walking through from that direction. We put a privacy fence up between us and the farmers market so there's not pedestrian traffic coming in from there. We would just like to make sure that when the site plan is developed, the development plan is there and that there is proper fencing around it that will keep people from wandering through primarily to 10th Street trying to access it through our parking lot.

Jim Daws, Sierra Development Group, stated we will be sure to accommodate any concerns that our neighbors have with privacy fencing or whatever they are looking for.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Leigh Whatley

SECONDER: Arturo Menefee

DISCUSSION: Ms. Cannon asked how many lots are the 7 acres being divided into?

Mr. Mosley stated two. One large lot and one small lot.

Ms. Cannon asked so the 7 acres is being divided into two lots?

Mr. Mosley stated no, it's 7.87 acres which is being divided into a 7 acre lot and a 0.87 acre lot. You have the small lot and then the remaining 7 acres is one lot.

Ms. Cannon asked so it's two lots?

Mr. Mosley stated yes, two lots. This is a combination of lots into one big lot and one small lot.

Mr. Silberman asked the one lot is the old Dorsey property right?

Ms. Cannon stated it used to be Dorsey.

Chairman Cherry stated I agree with Mr. Barrett because I was back behind his place of business for several years and I had the opportunity to witness the prisoners as they hopped over the fence, so I know that could have been a problem back then and it may be a problem now. I don't know where they put the prisoners now.

Mr. Mosley stated Lee County Corrections.

Chairman Cherry stated I do know they would probably need fencing.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

3. **Jim Daws, authorized representative for Marsh Real Estate Investments, LLC, 411 South 10th Street, requesting to vacate a 15 foot wide undeveloped public alley.**

Mr. Mosley reported the petitioner is requesting to vacate a 16 foot wide undeveloped alley (right-of-way) for a future development. 182 unit apartment development. The petitioner owns the property on each side of the alley therefore the only petitioner. The alley runs from the petitioner's northeast property on South 10th Street to the southwest property line at the Central of Georgia railroad right of way. The alley is 628 feet long.

The alley has no identifiable access from South 10th Street or the Central of Georgia railroad right-of-way next to Clanton Street. The alley exists on "paper only" on the Grant Lands SD, Resubdivision of Lots 10 & 12 & A Portion of Lot 9, Block 47

Recommendation

Staff recommends a positive recommendation be sent to City Council to vacate the 16' x 628' right-of-way from South 10th Street to the Central of Georgia railroad right-of-way.

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns with the vacation of this public alley and recommends approval.

Mr. Parker reported for the Opelika Utilities Board, no comment.

Mr. Parker reported for the Opelika Power Services, this is in the Opelika Power Service Territory.

Chairman Cherry opened the public hearing.
No comments.
Chairman Cherry closed the public hearing.

Motion to send a positive recommendation of vacation to City Council with staff recommendations

RESULT: **Passed**

MOVER: John Sweatman

SECONDER: Director Mike Hilyer

DISCUSSION: Ms. Cannon asked does this adjoin any other alleyway?

Mr. Mosley stated no ma'am.

Ms. Cannon asked so it does not connect to any other alley?

Mr. Mosley stated no ma'am. It connects from 10th Street to the railway so there is no alley coming off of it in any direction.

Mr. Silberman asked and there are no utilities under there?

Mr. Mosley stated not that I'm aware of. We looked and didn't receive any response from any of the utilities that they had anything through there.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

E. **CONDITIONAL USE - Public Hearing**

4. **Jeff Black, 1071 Walker Gray Court, C3, Commercial HVAC Sales and Estimating Office**

Mr. Mosley reported the applicant is requesting conditional use approval to construct a commercial building for a commercial/industrial HVAC sale and estimating office on Lot 12. Some HVAC parts will be stored in warehouse instead of shipped to jobsite. The business has a location in Decatur, Al, and desires to expand their business into Opelika specializing in commercial HVAC systems. The business desires to locate at Walker Gray Court - a new street in a C-3 zone located one block from Veterans Parkway. The applicant stated that outside storage in rear yard area will rarely occur. The company schedules with the wholesaler their arrival of HVAC units, and most HVAC units are shipped directly to job site from wholesaler not Walker Gray location. If units are shipped to Walker Gray location all equipment and HVAC units are stored inside warehouse for security reasons and to prevent theft. If units are stored outside, units are stored for one or two days maximum then delivered to jobsite. The business will have 2 to 3 employees on the busiest shift. The minimum off-street

parking requirements are met with 6 parking spaces including one handicap space.

The site plan shows Lot 12 with a 4,225 square foot (sf) building including 1,200 sf office space on a 32,114-sf lot. The proposed building meets the minimum building setbacks (30' front yard, 10' side, 20' rear). One roll-up door is on the side of the building; a standard-size exterior door is on the rear wall. This site plan shows the building area is about 10% of the 50% maximum building area allowed in the C-3 zone.

The landscape plan meets minimum requirements. A residential zoning district (R-5M) is adjacent to the applicant's property along the east property line; a residential buffer is shown as required. A total of 7 trees and 113 shrubs will be planted; the shrubs include 10 tree-like evergreen holly shrubs along the rear property line that must form a near impervious visual barrier in three growing seasons as required. The size of trees and shrubs planted must meet the minimum size requirements as provided in the Landscape Regulation. A 6 foot high opaque fence is also shown along the rear property line on the landscape plan as required. A fence is also shown along the side property lines running east to west and then turns perpendicular north and south ending at the rear corner of the building.

The building façade facing Walker Grey Court will be brick veneer (10' high) with architectural grade metal horizontal panels and a metal awning over the entrance door. The same front exterior material will be installed on a portion of the side wall as shown on elevations in packet. The remaining side and rear wall are metal panels.

A private dumpster location is not shown on site plan. If dumpster pad is proposed the location must be approved behind the front face of the building. The screening must be approved prior to installation and enclosed with an opaque fence at a height so the dumpster is not visible outside the enclosure. Also, to meet the character of surrounding properties all utility meters, air conditioning units and similar mechanical units shall be screened so as not to be visible from a public right-of-way.

Proposed site lighting must comply with the City's lighting requirements not exceeding 1 foot-candle at a property line. Lighting be directed downward and shielded to prevent light from spilling over onto the other properties.

Staff recommends conditional use approval subject to the following:

1. If a dumpster area is proposed dumpster must be enclosed and screened with a dumpster enclosure located behind the front plane of the building and be screened by approved corridor materials.

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

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Mr. Parker reported for the Opelika Utilities Board, no comment.

Mr. Parker reported for the Opelika Power Services, this is in the Opelika Power Service Territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: **Passed**

MOVER: Arturo Menefee

SECONDER: Director Mike Hilyer

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

F. TEXT AMENDMENT - Public Hearing

5. Amendments to Zoning Ordinance: Section 7.3 A. District Regulations, Section 7.3 C. Use Categories (matrix table), Section 7.7 "Downtown Residential Living"

Mr. Mosley stated we did get a request to give the Commission more time to review these in the future and I will definitely make sure that we do that going forward, and that we give y'all time to look at this a meeting prior to when we bring it to you, but we are requesting that you approve these amendments.

Mr. Mosley reported

Amendments:

AREA

REQUIREMENTS¹

	R-1	R-1A	R-2	R-3 ²	R-4/M	R-5/M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Minimum Lot Size (vs.) 10,000	43,560	30,000	15,000	10,000	7,500	7,500							20,000	15,000
Dwelling Units Per Acre ^{2,3}	1	1.25	2.5	3.5	9	16	36 16 ⁴	16	16					

Section 7.3.C

USES

DISTRICTS

	R-1	R-1A	R-2	R-3	R-4	R-4M	R-5	R-5M	C-1	C-2	C-3	M-1	M-2	I-1	GC-P	GC-S
Duplex	N	N	N	C	<u>AC</u>	<u>AC</u>	A	A	N	N	N	N	N	N	C	C
COMMERCIAL																
Mausoleum ⁷	C	C	N	N	N	N	N	N	N	N	C	C	N	A	<u>NC</u>	N
Columbarium ⁸	C	C	N	N	N	N	N	N	N	N	C	C	N	A	<u>NC</u>	<u>NC</u>
Crematorium ⁹	C	C	N	N	N	N	N	N	N	N	C	C	N	A	<u>NC</u>	N

7. On a property with a Gateway Corridor – Primary designation, a mausoleum shall be considered a conditional use only as an accessory use to a cemetery. The use is otherwise prohibited in the GC-P as a primary use or accessory to another use.
8. On a property with a Gateway Corridor – Primary or Secondary designation, a columbarium shall be considered a conditional use only as an accessory use to a cemetery or church. The use is otherwise prohibited in the GC-P or GC-S as a primary use or accessory to another use.

¹Date of Amendment: February 6, 2018 Ordinance No. 01-18 – GC-P/GC-S added and side yard on street added to table. Notes 5-6 covering Gateway requirements moved to Section 7.6.

² Date of Amendment: July 15, 2014- R-3 any final subdivision plat recorded prior to September 17, 2013 shall meet the following area requirements: Min. Lot Size 7,500 sf, Min. Lot Width 60 ft.; and Front Yard Setback 25 ft. Any deviation from area requirements prior to September 17, 2013 shall be considered by the Board of Zoning Appeals

9. On a property with a Gateway Corridor – Primary designation, a crematory shall be considered a conditional use only as an accessory use to a funeral home. The use is otherwise prohibited in the GC-P as a primary use or accessory to another use.

SECTION 7.7 DOWNTOWN RESIDENTIAL LIVING

A. Purpose.

It is the purpose of this section to establish regulations to accommodate commercial and residential uses in the downtown area. This section contains criteria designed or intended to:

- a) Contribute to the economic vitality of the downtown area by permitting housing with conditional use approval in the C-1 zoning.
- b) Provide better security, preserve property values, and preserve the character of the downtown area by ensuring that housing is permitted in such a manner that will not alter the character of the downtown area.
- c) Promote the maintenance and preservation of buildings in the downtown area.
- d) Meet housing needs especially for those working downtown.

B. Conditional Use Approval.

Conditional use approval is required for residential dwellings in the C-1 zoning district. During site plan review, the Planning Commission may impose reasonable restrictions and condition on approval of proposed residential housing developments to maintain the character of the downtown business district. The developments to maintain the character of the downtown business district. The Planning Commission may vary or wave requirements if circumstances of a particular proposal so warrant. The Planning Commission shall use the following criteria in determining whether to grant conditional use approval:

1. The proposed residential use shall not decrease the value of adjoining properties.
2. The proposed residential use shall not inhibit the economic growth or development of the downtown area.
3. The proposed residential use at the proposed location shall not endanger the public health or safety, or create a nuisance. The proposed use shall promote and preserve decent, safe, and sanitary housing in the downtown area.
4. The proposed residential use shall not be approved if the combinations of residential and commercial uses are incompatible. Pertinent factors to be considered in evaluating any application are noise, smell, hours of commercial operation, and the impact of the proposed development on pedestrian and vehicular traffic.
5. The proposed residential use shall not be approved if the Planning Commission determines parking is adequate or on-street parking by the occupants and their guests will adversely affect nearby businesses. Parking for boats, campers, or trailers is prohibited in the C-1 district.
6. During site plan review and prior to the issuance of the conditional use permit, the Planning Commission may request repairs of any exterior surface or architecture which is deteriorated, decayed, or damaged. Routine maintenance or repairs of

exterior surfaces or architecture may be required in subsequent years, if necessary, to sustain the existing form of the building in design, material, and outer appearance. The Historic Commission shall monitor the conditions of property and shall initiate such appropriate action of proceeding as is necessary to prevent deterioration in accordance with the provisions of Section VI, VII, and VIII of the Historic Ordinance.

C. Development Standards.

Dwelling units may be of the efficiency, studio, and one (1) bedroom, ~~or two (2) bedroom types or three (3) bedroom types~~. Each dwelling unit shall have its own independent kitchen, bathroom(s), and bedroom(s). In cases where the Planning Commission deems it necessary, it shall determine which rooms are designated as bedroom(s), kitchen, entrance ways, etc.

Buildings within the C-1 zoning district shall be non-residential on the first floor unless otherwise permitted within this section through conditional use approval.

Buildings located in the C-1 zoning district within the area from 1st Avenue to Avenue B and from South 7th Street to South 10th Street shall meet the following requirements:

Minimum floor area requirements for commercial uses on the first floor (street level):

A minimum floor area of forty percent (40%) of buildings on the first floor shall be reserved for commercial uses. The minimum forty percent (40%) floor area shall be located in the front portion of a building facing the primary street and front entrance into the building. The rear portion of the first floor may be used as a residence. The resident occupying the rear portion of the building shall be limited to the property owner or the business owner of the said forty percent (40%) of the front portion of the building unless the residential and non-residential uses have separate entrances. It is prohibited for any other type of household or family unit to occupy the rear portion of buildings. It is prohibited for a property owner to rent the entire first floor area of a building as a residence. A maximum width of six (6) feet of the front façade may be used as a private entryway to access the rear portion of the building used for residential uses. Conditional use approval is required. A floor plan drawn to scale shall be submitted designating at least forty percent (40%) of the front portion of the building as reserved for commercial uses.

Buildings located outside of the area from 1st Avenue to Avenue B and from South 7th Street to South 10th Street may be a single purpose residential or contain first floor residential subject to conditional use approval.

Minimum requirements for commercial or residential uses on the second floor or higher in the C-1 zoning district:

Residential dwelling units may occupy the second floor or higher of nonresidential buildings. The second floor or higher areas shall be designated nonresidential or residential by floor. No mixed uses are allowed on the second floor or higher floors of nonresidential buildings in C-1 zoning districts. If the second floor or higher is designated residential the property owner is not limited to the type of households occupying the second floor or higher. Minimum floor area per residential dwelling on the second floor shall be four hundred (400) square feet.

~~Single Purpose Residential: No building in a C-1 zone will be used as a single purpose residential use.~~

D. Design Guidelines.

1. Design plans for the structure shall be prepared and sealed by a registered architect or professional engineer and shall comply with all zoning requirements, the building code, and other applicable codes and regulations.
2. Prior to issuance of the conditional use permit, the applicant shall file copies of the design plans with the Building Official and the Fire Protection Official. No certificate of occupancy shall be issued until the premises in question have been inspected and found by the Building Official and Fire Protection Officer to comply with the requirements of the zoning ordinance.
3. Properties located within a designated historic district shall follow the applicable design guidelines for that district.
4. Buildings shall be oriented with the primary entrance facing right-of-way adjoining the front property line.
5. Parking shall not be allowed between the front facade of the building and the right-of-way. Where parking does adjoin a right-of-way, landscaping or a short screen wall shall be installed.
6. All mechanical units, storage tanks, meters, grease traps, refuse bins, or service connections shall be screened so they are not visible from the right-of-way in front of the building. For buildings located on the corner, mechanical units, storage tanks, meters, grease traps and refuse bins shall be screened to the greatest extent possible.

Staff Comments – The proposed text amendments cover changes to the permitted use table and requirements for residential in the downtown area. The changes represent practical changes based on existing uses and zoning within the city.

Residential in the C-1 zone

Staff has determined that the current density applied to the C-1 zone would generally net one or no allowed units in the C-1 zone. The current density of 16 units per acre is one of the highest in the city. However, most lots in downtown range in size from 2,500-5,000 square feet. A density applied to this would generate between 1-2 units of residential. Many cities have moved away from densities and towards a minimum unit size, which Opelika also has. Staff felt it may be best to move the density higher at this point instead of removing any density maximum. A density of 36 units per acre would result in 2-4 units in most of existing buildings. Most of the C-1 zone would also be subject to the historic guidelines which would prohibit buildings out of size or context with surrounding properties.

The Carver-Jeter plan made some recommendations for additional residential in the downtown area. Specifically, it mentioned increasing the area zoned C-1. It also noted that outside of the core downtown, the requirement for non-residential uses on the 1st floor should be removed. The changes to Section 7.7 allow areas outside of the area from 1st Avenue to Avenue B and from South 7th Street to South 10th Street to have first floor residential or be single use residential buildings. Additionally, staff has added some requirements that open parking should not be a primary feature on the front of properties in the C-1 zone. This would not restrict the existing lots that are present, but would ensure that future parking areas be located behind the building or be screened if located on the side or in a more visible location.

Finally, staff has modified where duplexes are allowed by right, changing them to conditional in the R-4 zone. It has also been raised that many of our funeral homes and cemeteries are located on gateway corridors. However, accessory uses like columbarium, crematories, and mausoleums are not allowed at these locations. The text amendment would allow these uses to be conditionally permitted in this zone as an accessory use.

Recommendation: A positive recommendation to City Council for the text amendment

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposal.

Mr. Parker reported for the Opelika Utilities Board, no comment.

Mr. Parker reported for the Opelika Power Services, no comment.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to send a positive recommendation for the text amendment to the zoning ordinance to City Council with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: John Sweatman

DISCUSSION: Mr. Silberman asked this in no way changes any of the current elevations and deals strictly with units, is that correct?

Mr. Mosley stated yes sir, it does deal strictly with units. We do allow a tall building in the downtown area, but it is also limited in most places by the historic design guidelines which state that you are not supposed to go taller than one story above the adjoining properties and our highest properties in the historic downtown are three stories basically. So, we are not going to see anything that is six or seven stories from this guideline change.

Mr. Silberman asked would that require coming back to the Planning Commission and the City?

Mr. Mosley stated yes sir. Any residential use in the downtown is still conditional, which means that this Board would still have the opportunity to review and approve it.

Ms. Cannon stated I just want to clarify what downtown is. Downtown is 1st Avenue to Avenue B, South 7th to South 10th, but that's also North 7th to North 10th?

Mr. Mosley stated yes, between North Railroad and 1st Avenue, that would be the only portion in there that would be North 10th and North 7th.

Ms. Cannon asked so it doesn't go to Avenue B?

Mr. Mosley stated one border would be Avenue B between South 10th and South 6th Street.

Ms. Cannon stated yes it would be. I just wanted to be sure it was boxed in.

Mr. Mosley stated yes ma'am, it is. Someone can apply for the C-1 zone outside of that boundary and they would still have to meet the conditional use requirements of the Commission.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

G. ADJOURN

Motion to adjourn at 3:31 p.m.

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen, Sweatman

NAYS: None

ABSTAIN: None

_____ Lewis A. Cherry, Chairman

_____ Matt Mosley, Secretary



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

2135

DEADLINE: 2/16/22 MEETING: 2/22/22SITE ADDRESS: 0 WYNDHAM VILLAGE DRIVEPROPERTY OWNER: WINDHAM GATEWAY LLCAPPLICANT/AUTHORIZED REPRESENTATIVE: BRANDON BOLTMAILING ADDRESS: 400 2nd AVENUE, OPELIKA, AL 36801PHONE NUMBER: (334) 744-4016

FAX NUMBER: _____

EMAIL ADDRESS: brandon@boltengineering.net

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

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

☐ Annexation☐ Rezoning☐ Other _____**PARCEL INFORMATION**Subdivision Name: WYNDHAM VILLAGE PHASE 3Current Land Use: VACANTCurrent Zoning: PUD

Proposed use of the Subdivision: _____

☒ Residential☐ Commercial☐ Manufacturing/Industrial☐ Office/InstitutionalNumber of Lots: 100 x \$3.00 = \$300.00Number of APO: 31 x \$7.00 = \$217.00
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = 592.00**PAID \$592.00**

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) WYNDHAM VILLAGE PHASE 3 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

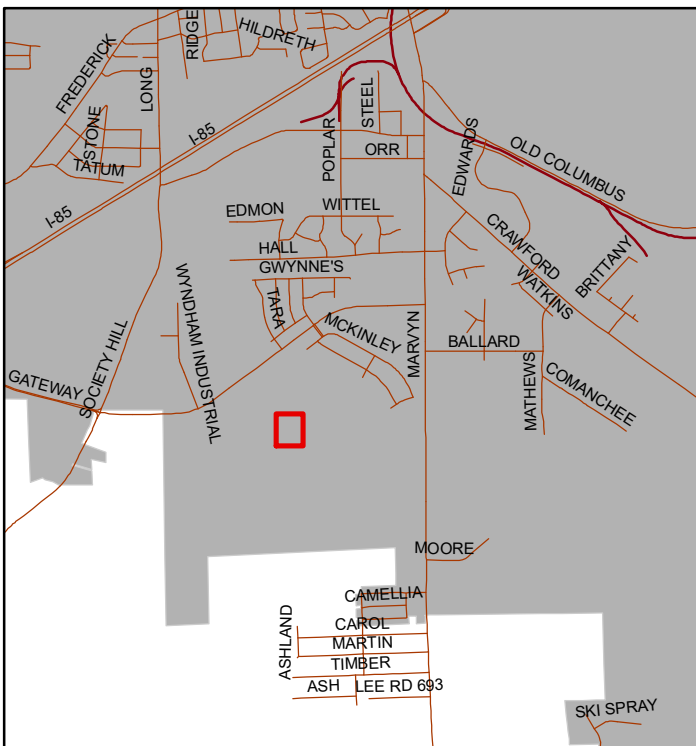
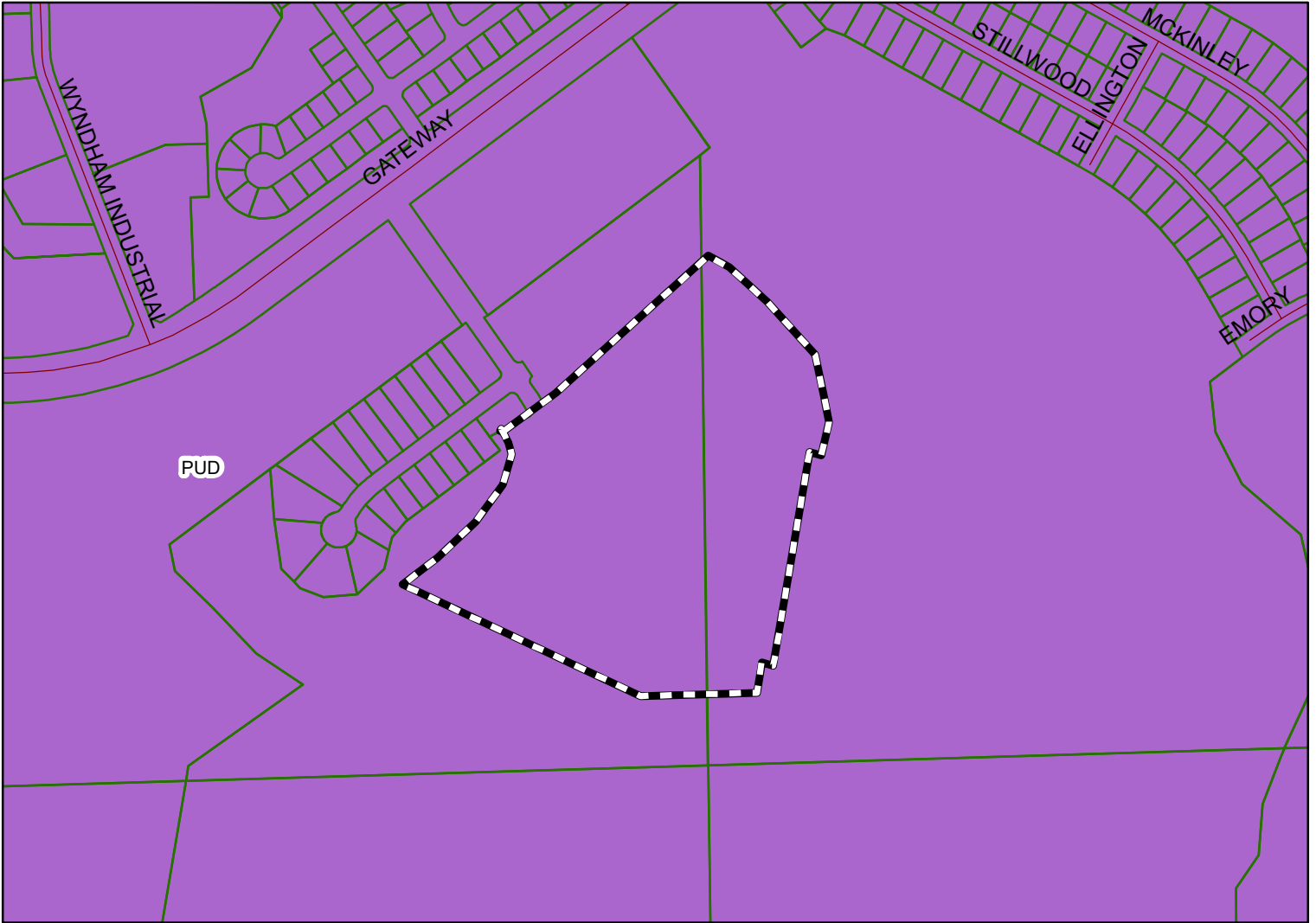
REPRESENTATIVE SIGNATURE:

Brandon Bolt(PRINT NAME) **BRANDON BOLT**

01/26/2022

DATE

WYNDHAM VILLAGE PHASE 2 SUBDIVISION
WYNDHAM VILLAGE DRIVE
PRELIMINARY APPROVAL, D-1



The applicant is requesting preliminary approval for 100 single family home lots. The property is located in a PUD zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Subdivision: Wyndham Village, Phase 3

Agenda Item #: C-1

Action Requested: Preliminary Approval

Location of Property: Wyndham Village Drive

Property Owner(s): Wyndham Gateway, LLC
Brandon Bolt, Bolt Engineering, authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

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

Staff Comments:

The applicant is requesting preliminary plat approval for a 100-lot subdivision. The 100 lots are a portion of a 523-lot development shown as a pod of the amended Wyndham PUD approved in January 2020. The lots in Pod 11 are designated as 65 foot wide lots with a minimum area of 7,500 square feet. However, these lots are plated and shown as larger with a minimum of 75 foot wide lots and minimum lot area of 10,000 square feet. Most of the lots meet their minimum lot width and area for the 75 foot wide lot standards. Lots 63-77, 95-100, and 17-19 do not meet the minimum width for 75 foot lots at the street. These lots will need to meet this standard at the building line.

The pool, pavilion, and park area are located in the previously preliminary approved Phase 2 portion of this development on Lot 1000 (to be built in conjunction with Phase 2). A bark park is located in the open space behind lots 21 and 22 to be installed with Phase 3. Lots 1-9 and 21-30 adjoin the dedicated open space required by the master plan. The access, ownership, maintenance, and use restrictions of the areas described as open space, park, and/or future amenity need to be noted on the final plat.

The utilities in Phase 3 will be underground. Sidewalks are required on at least one side of each street. Wyndham Village Drive, and Wyndham Lane continue and will connect a proposed future development in the proposed master plan.

Recommendation:

Staff recommends preliminary plat approval subject to the following:

1. Sidewalks are required on at least one side of the street.
2. All utilities shall be underground.
3. Add a note to the plat to state the ownership, maintenance, and use restrictions of the areas described as open space, park, and/or future amenity. Access needs to be preserved to the amenity as shown on the master plan.
4. The 50' Power Company transmission line area on the rear of Lots 10-20 will need to be addressed concerning ownership and maintenance, including fencing and structure restrictions in this area.
5. Ensure the 75' minimum lot width on lots 63-77, 95-100, and 17-19 is corrected on the final plat or meets the minimum lot width at the front building line.
6. Add the remainder tract information.
7. Give the right of way width of Street J.
8. Add all required certificates and signature blocks to the final plat.
9. Add names and addresses of record owners of adjoining land, including property with frontage along rights of way which bound the subject property.

Engineering Department Report

The developer will be required to submit an infrastructure construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval.

Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

A traffic impact study has been performed for this area because it is an extension of an existing subdivision.

The Engineering Departments review comments have been addressed and the Department recommends preliminary plat approval for this application.

Opelika Utilities Board Report

Water service is accessible to this subdivision by Opelika Utilities.

Opelika Power Services Report

Phase 3 is inside the Opelika Power and Alabama Power Service territory.



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

2736

DEADLINE: 2/1/22 MEETING: 2/22/22SITE ADDRESS: 2015 S UNIROYAL RDPROPERTY OWNER: EDGAR HUGHSTON BUILDER INCAPPLICANT/AUTHORIZED REPRESENTATIVE: BRANDON BOLTMAILING ADDRESS: 400 2ND AVENUE, OPELIKA AL 36801PHONE NUMBER: 334-744-4016

FAX NUMBER: _____

EMAIL ADDRESS: brandon@boltengineering.net

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN☐ ADMINISTRATIVE☒ PRELIMINARY☐ FINAL

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

☐ Annexation☐ Rezoning☐ Other _____**PARCEL INFORMATION**Subdivision Name: DRAKES LANDING PHASE TWOCurrent Land Use: VACANTCurrent Zoning: PUDProposed use of the Subdivision: RESIDENTIAL☒ Residential☐ Commercial☐ Manufacturing/Industrial☐ Office/InstitutionalNumber of Lots: 117 x \$3.00 = \$351Number of APO: 12 x \$7.00 = \$84
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = 510**PAID \$510**

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) DRAKES LANDING PHASE TWO 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

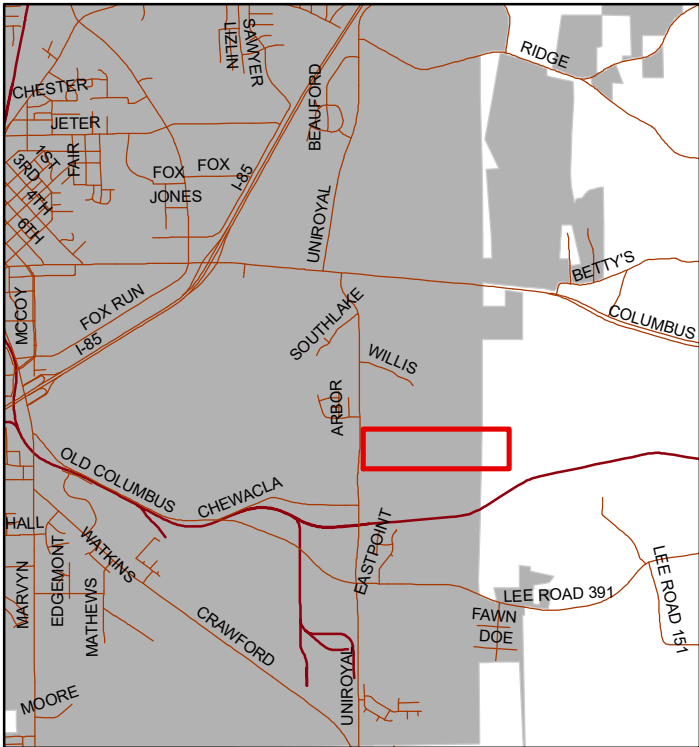
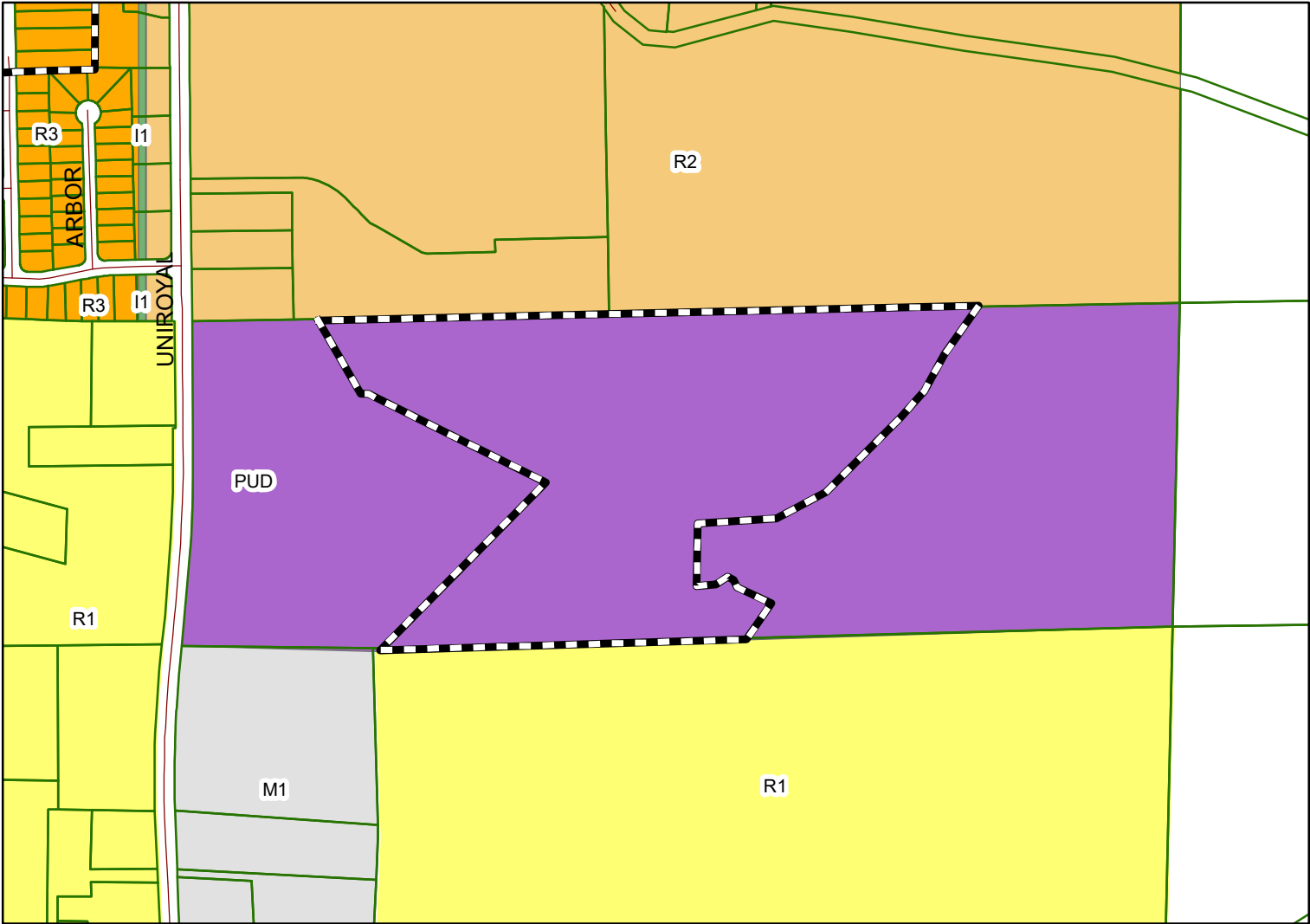
REPRESENTATIVE SIGNATURE:

Brandon Bolt(PRINT NAME) **Brandon Bolt**

01/25/2022

DATE

DRAKES LANDING PHASE 2 SUBDIVISION
 SOUTH UNIROYAL ROAD
 PRELIMINARY APPROVAL, D-2



The applicant is requesting preliminary approval for 117 single family home lots. The property is located in a PUD zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Subdivision: Drakes Landing Phase 2

Agenda Item #: C-2

Action Requested: Preliminary Approval

Location of Property: 2015 South Uniroyal Road

Property Owner(s): Edgar Hughston Builder, Inc.
Brandon Bolt, authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

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

Staff Comments:

The applicant is requesting preliminary plat approval for a 117-lot subdivision near South Uniroyal Road. The plat is Phase 2 of the Drakes Landing PUD residential subdivision. The master plan shows a total of 190 lots; phase 1 is 65 lots and homes are under construction. The Phase 2 lots are accessed from two streets (Fuzzy Falls and Webbed Way) that were constructed in Phase 1 and now extended into Phase 2.

In Phase 2 single family homes will be built on 117 lots. The 117 single family home lots exceed the minimum 15,000 sf lot size requirement for this PUD. The lots range from 15,050 sf to 46,524 sf. The minimum lot width is 60 feet. All lots meet the minimum 60’ lot width except Lot 130. The minimum building setbacks for this PUD is 25’ front, 8’ side yard, 20’ rear yard, and 25’ side on street (corner lots). The minimum building setback lines for the lots in the three cul-de-sacs must be drawn where the lot is at least 60 feet wide. Lot 600 (55 acres) is an unbuildable lot and designated “open space” area as shown on plat. Lot 601 is a 60’ wide stub-out street into the adjacent property on the north side.

A 25-foot-wide natural undisturbed buffer or a 6’ high opaque fence is required along the rear lot line of all residential lots that are adjacent to the north and south perimeter property lines. In Phase 2, Lots

64 through 79 (north side) and Lots 144 through 160 (south side) require a buffer. On Lot 144, the buffer is only required on the 70 feet that is on the exterior of the subdivision. On the north side, if a landscape buffer is selected instead rather than a 6' high fence the buffer should provide evergreen plantings to provide a near impervious visual barrier in three years.

Recommendation

Staff recommends preliminary plat approval subject to the following:

1. Add the adjacent property owner adjoining the south property line on sheet CS-103.
2. Relocate side property lines on Lot 130 so the minimum 60' lot width is met.
3. Sidewalks required on at least one side of the street where homes are constructed, and sidewalks provided to access the designated open space areas shown on plat.
4. Install underground utilities.
5. Approve proposed minimum building setbacks on plat: 25' front yard, 8' side yard, 20' rear yard, and 25' side on street (corner lots).
6. Installation of Residential Buffers:
 - (a) Along the south perimeter property line of the PUD: Install a 6' high opaque fence along the rear property lines of the following lots - Lot 160 through Lot 145 and at least a 20 foot fence section install beginning at the corner of Lot 145 & Lot 144.
 - (b) Along the north perimeter property line of the PUD: For all adjacent residential lots along the north property line, install a 25-foot-wide natural undisturbed buffer or a 6' high opaque fence along the rear lot line. Lot 601 is a stub-out for a future street.
7. Label Lot 600 (55 acres) as "unbuildable" and open space. From the rezoning public hearing, a Drake Landing HOA (Homeowner's Association) will be established. On the final plat, in HOA documents provide who is responsible for maintenance of Lot 600 and include provisions concerning the use(s) allowed for Lot 600.

Engineering Department Report

The developer will be required to submit an infrastructure construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval.

Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits. Under the monitoring of the Engineering Department and other utilities, the roadway and infrastructure will be completed and tested. Once the construction is complete and a bond is provided for the maintenance and any unconstructed public infrastructure according to the Subdivision Regulations, a Final Plat can be submitted to the Planning Commission for consideration.

A traffic impact study has been performed for this area because it is an extension of an existing subdivision.

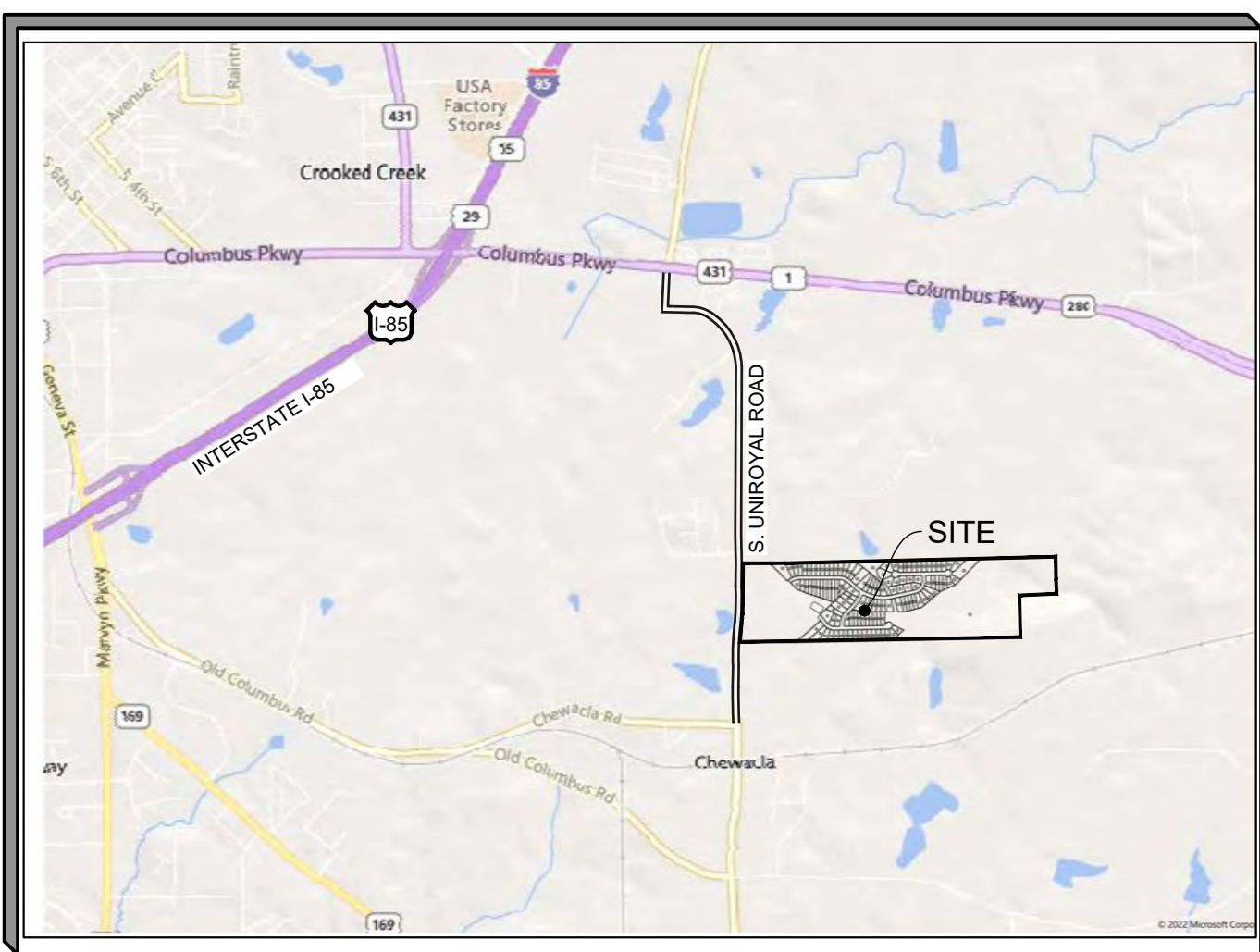
The Engineering Departments review comments have been addressed and the Department recommends preliminary plat approval for this application.

Opelika Utilities Board Report

Water service is accessible to this subdivision by Opelika Utilities.

Opelika Power Services Report

This is inside the Opelika Power Service territory.



LOT #'s 600 & 601 ARE NOT BUILDABLE LOTS.

LF= LINEAR FEET
(TYP.)= TYPICAL
FT= FEET
PP= POWER POLE
R.O.W.= RIGHT OF WAY
S.F.= SQUARE FEET
SS= SANITARY SEWER
25'SWB= 25' STATE WATER BUFFER
100YR= 100 YEAR FLOOD LINE
PER= PERENIAL STREAM
INT= INTERMITTENT STREAM



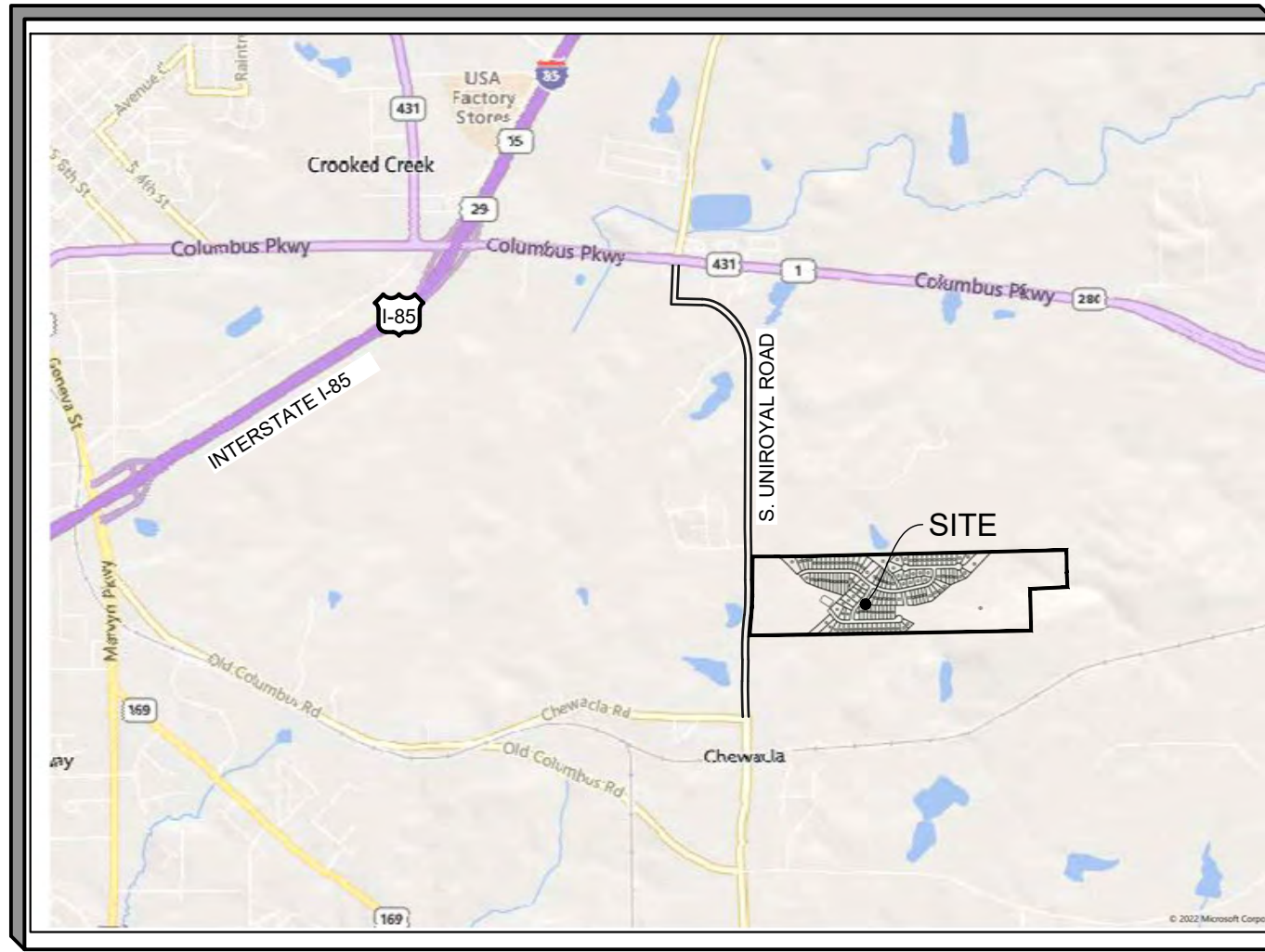
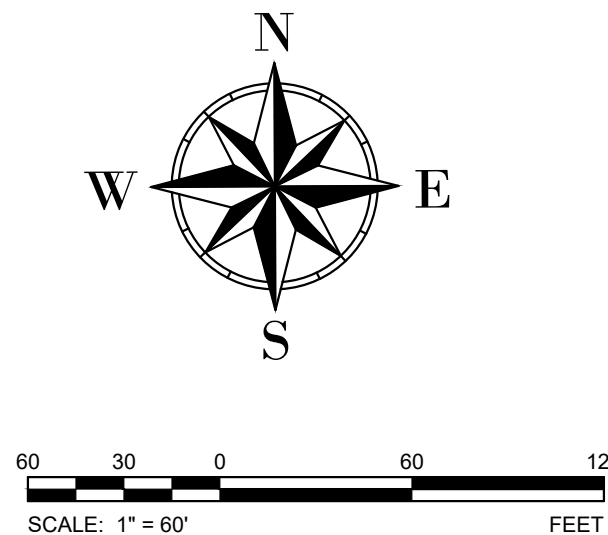
PARCEL NO.	SQUARE FEET	ACRES
160	51848.72	1.19
161	30039.13	0.68
162	15734.26	0.36
163	16910.61	0.39
164	20884.51	0.48
165	35299.21	0.81
166	36616.86	0.84
167	15109.09	0.35
168	19711.20	0.45
169	20441.02	0.47
170	15050.00	0.35
171	20172.75	0.46
172	23415.95	0.54
173	22419.70	0.51
174	21111.06	0.48
175	19802.42	0.45
176	18403.78	0.42
177	17185.14	0.39
178	15876.50	0.36
179	15050.00	0.35
180	15050.00	0.35
181	16196.14	0.42
600	2400825.97	55.12
601	10845.57	0.25

CS-101

1/31/2022 2:09:53 PM, ARCH ID (24.00 x 36.00 inches)



EDGAR HUGHSTON BUILDER INC.
8219 N CROSSING CT, FORTSON, GA 31808
D.B. 2438, PG. 703
PARCEL ID: 43-10-05-22-0-000-002-000



VICINITY MAP
NOT TO SCALE

FLOOD INFORMATION:
PER FEDERAL EMERGENCY MANAGEMENT AGENCY
FLOOD INSURANCE RATE MAP FOR LEE COUNTY,
ALABAMA AND INCORPORATED AREAS,
COMMUNITY PANEL NUMBER 01081C0089G AND
01081C0230G, EFFECTIVE DATE NOVEMBER 2, 2011
AND FOUND NO PORTIONS OF THE PROPERTY
SHOWN HEREON TO FALL WITHIN A DESIGNATED
FLOOD ZONE

ZONING INFORMATION:
CURRENT ZONING FOR THE PROPERTY IS PUD

DIMENSIONAL REQUIREMENTS:
NOTE: LOT WIDTH IS MEASURED FROM THE FRONT SETBACK LINE.

WIDTH 60'
DENSITY (UNITS/ACRE) 1.23
FRONT SETBACK (FT) 25
SIDE SETBACK (FT) 8
REAR SETBACK (FT) 20
SIDE ON STREET (FT) 25
MAX BUILDING AREA (%) 50
MAX BUILDING HEIGHT (FT) 40
MIN. LOT SIZE (SF) 15,000

UTILITY SERVICE INFORMATION:

ALL UTILITIES ARE TO BE PLACED UNDERGROUND.

SANITARY SEWER SERVICE: IS AVAILABLE TO ALL OF
THE UNDEVELOPED RESIDENTIAL LOTS VIA AN
EXISTING MAIN TO THE SOUTHWEST AND EAST OF
THE PROPERTY.

STORMWATER MANAGEMENT WILL BE PROVIDED.

WATER SERVICE IS ACCESSIBLE VIA THE FUZZY FALLS
RIGHT-OF-WAY, AND WEBBED WAY RIGHT-OF-WAY OF
DRAKE'S LANDING SUBDIVISION, PHASE 1.

BOUNDARY INFORMATION:
THE PROPERTY BOUNDARY WAS TAKEN FROM
EXISTING SITE CONDITIONS PERFORMED BY
STROZIER SERVICE, L.L.C. DATED 1/29/2020

DEVELOPER CONTACT:
EDGAR HUGHSTON BUILDER, INC.
JACK HUGHSTON
8219 NORTH CROSSING COURT
FORTSON, GA 31808
Ph: (706) 568-7650

PROPOSED SITE INFORMATION:
1. PHASE II ACRES TO BE SUBDIVIDED: ±116
PHASE I ACRES: ±31
2. TAX PARCEL ID# 43 10 05 22 0 000 002.000
AND 43 10 05 22 0 000 001.000
3. SMALLEST LOT #145 - SIZE ±15,018.46 SF
4. PROPOSED TOTAL OF 117 RESIDENTIAL LOTS.

LEGEND AND ABBREVIATIONS

LF=	LINEAR FEET
(TYP)=	TYPICAL
FT=	FEET
PP=	POWER POLE
R.O.W.=	RIGHT OF WAY
S.F.=	SQUARE FEET
SS=	SANITARY SEWER
25'SWB=	25' STATE WATER BUFFER
100YR=	100 YEAR FLOOD LINE
PER=	PERENNIAL STREAM
INT=	INTERMITTANT STREAM

Parcel Area Table

PARCEL NO.	SQUARE FEET	ACRES
64	48524.78	1.07
65	18721.26	0.43
66	15761.17	0.36
67	15144.30	0.35
80	60213.50	1.38
81	31929.88	0.73
87	19741.04	0.45
88	16981.98	0.39
89	17675.96	0.41
90	15200.01	0.35
91	17952.57	0.41
92	15175.74	0.35
93	15514.66	0.36
94	16288.07	0.37
98	16133.74	0.37
99	15084.51	0.35
100	15050.00	0.35
101	15050.00	0.35
102	15050.00	0.35
103	15050.00	0.35
104	15050.00	0.35
105	15050.00	0.35
106	15050.00	0.35
107	15311.88	0.35

Parcel Area Table

PARCEL NO.	SQUARE FEET	ACRES
108	17556.42	0.40
109	24037.82	0.55
110	67896.57	1.56
111	15907.33	0.37
112	15359.80	0.35
113	15391.61	0.35
114	16286.67	0.37
115	17083.29	0.39
116	16342.44	0.38
117	16922.35	0.39
118	21671.24	0.50
119	28130.18	0.65
121	15721.40	0.36
122	15844.43	0.36
126	30812.51	0.71
127	15552.34	0.36
128	15345.47	0.35
129	15236.97	0.35
130	16077.15	0.37
131	17840.13	0.41
132	28155.57	0.65
133	16013.78	0.37
134	16822.39	0.39
135	17452.06	0.40

Parcel Area Table

PARCEL NO.	SQUARE FEET	ACRES
136	16523.98	0.38
137	15656.97	0.36
138	15409.25	0.35
139	15322.79	0.35
140	15236.32	0.35
141	15149.86	0.35
142	16065.66	0.37
143	15330.72	0.35
144	17413.32	0.40
145	15018.46	0.34
146	15210.00	0.35
147	15210.00	0.35
148	15210.00	0.35
149	15210.00	0.35
150	15210.00	0.35
151	15210.00	0.35
152	15210.00	0.35
153	15210.00	0.35
154	15210.00	0.35
155	15210.00	0.35
156	16431.86	0.38
157	18108.36	0.42
158	23280.17	0.53
159	37016.83	0.85

Parcel Area Table

PARCEL NO.	SQUARE FEET	ACRES
160	51848.72	1.19
161	30039.13	0.69
162	15734.26	0.36
163	16910.61	0.39
164	20884.51	0.48
165	35299.21	0.81
166	36616.86	0.84
167	15109.09	0.35
168	19711.20	0.45
169	20441.02	0.47
170	15050.00	0.35
171	20172.75	0.46
172	23415.95	0.54
173	22419.70	0.51
174	21111.06	0.48
175	19802.42	0.45
176	18493.78	0.42
177	17185.14	0.39
178	15876.50	0.36
179	15050.00	0.35
180	15050.00	0.35
181	18196.14	0.42
600	2400825.97	55.12
601	10845.57	0.25

LOT #'s 600 & 601 ARE NOT BUILDABLE LOTS.



PRELIMINARY PLAT NORTHEAST LAYOUT

DRAKE'S LANDING - PHASE II

SECTION 22, TOWNSHIP 19 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

DATE									
DESCRIPTION									
SYMBOL									

JOB NO.: 22 211

INITIAL DATE: 01.20.22

SCALE: 1" = 60'

SHEET #

CS-102

1/31/2022 2:10:03 PM, ARCH ID (24.00 x 36.00 inches)

N/F
LAND S REAL ESTATE HOLDINGS LLC
26 SPRING HILL DR, AUBURN, AL 36830
D.B. 2498, PG. 60
PARCEL ID. 43-10-05-22-0-000-003.003

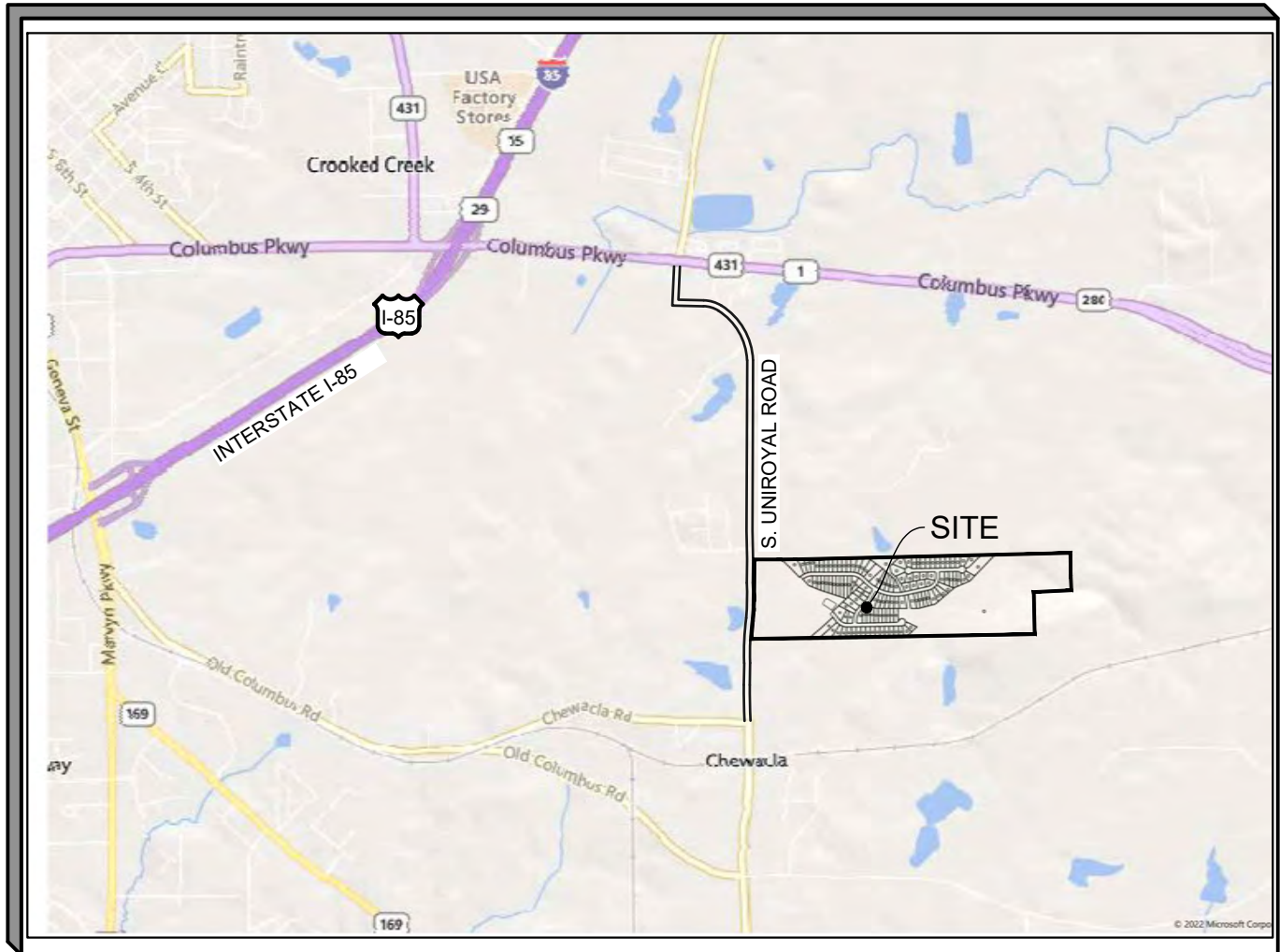
Parcel Area Table		
PARCEL NO.	SQUARE FEET	ACRES
64	46524.78	1.07
65	18721.26	0.43
66	15761.17	0.36
67	15144.30	0.35
80	60213.50	1.38
81	31929.88	0.73
87	19741.04	0.45
88	16981.98	0.39
89	17675.96	0.41
90	15200.01	0.35
91	17852.57	0.41
92	15175.74	0.35
93	15514.66	0.36
94	16288.07	0.37
98	16133.74	0.37
99	15084.51	0.35
100	15050.00	0.35
101	15050.00	0.35
102	15050.00	0.35
103	15050.00	0.35
104	15050.00	0.35
105	15050.00	0.35
106	15050.00	0.35
107	15311.88	0.35

Parcel Area Table		
PARCEL NO.	SQUARE FEET	ACRES
108	17556.42	0.40
109	24037.82	0.55
110	67896.57	1.56
111	15907.33	0.37
112	15359.80	0.35
113	15391.61	0.35
114	16286.67	0.37
115	17083.29	0.39
116	16342.44	0.38
117	16922.35	0.39
118	21671.24	0.50
119	28130.18	0.65
121	15721.40	0.36
122	15844.43	0.36
126	30812.51	0.71
127	15552.34	0.36
128	15345.47	0.35
129	15236.97	0.35
130	16077.15	0.37
131	17840.13	0.41
132	28155.57	0.65
133	16013.78	0.37
134	16822.39	0.39
135	17452.06	0.40

Parcel Area Table		
PARCEL NO.	SQUARE FEET	ACRES
136	16523.98	0.38
137	15656.97	0.36
138	15409.25	0.35
139	15322.79	0.35
140	15236.32	0.35
141	15149.86	0.35
142	16065.66	0.37
143	15330.72	0.35
144	17413.32	0.40
145	15018.46	0.34
146	15210.00	0.35
147	15210.00	0.35
148	15210.00	0.35
149	15210.00	0.35
150	15210.00	0.35
151	15210.00	0.35
152	15210.00	0.35
153	15210.00	0.35
154	15210.00	0.35
155	15210.00	0.35
156	16431.86	0.38
157	18108.36	0.42
158	23280.17	0.53
159	37016.83	0.85

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161	30039.13	0.69
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168	19711.20	0.45
169	20441.02	0.47
170	15050.00	0.35
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600	2400825.97	55.12
601	10845.57	0.25

LOT #'S 600 & 601 ARE NOT BUILDABLE LOTS.



VICINITY MAP
NOT TO SCALE

FLOOD INFORMATION:
PER FEDERAL EMERGENCY MANAGEMENT AGENCY
FLOOD INSURANCE RATE MAP FOR LEE COUNTY,
ALABAMA AND INCORPORATED AREAS,
COMMUNITY PANEL NUMBER 01081C000963 AND
01081C0230G, EFFECTIVE DATE NOVEMBER 2, 2011
AND FOUND NO PORTIONS OF THE PROPERTY
SHOWN HEREON TO FALL WITHIN A DESIGNATED
FLOOD ZONE.

ZONING INFORMATION:
CURRENT ZONING FOR THE PROPERTY IS PUD

DIMENSIONAL REQUIREMENTS:
NOTE: LOT WIDTH IS MEASURED FROM THE FRONT SETBACK LINE.

WIDTH 60'
DENSITY (UNITS/ACRE) 1.23
FRONT SETBACK (FT) 25
SIDE SETBACK (FT) 8
REAR SETBACK (FT) 20
SIDE ON STREET (FT) 25
MAX BUILDING AREA (%) 50
MAX BUILDING HEIGHT (FT) 40
MIN. LOT SIZE (SF) 15,000

DEVELOPER CONTACT:
EDGAR HUGHSTON BUILDER, INC.
JACK HUGHSTON
8219 NORTH CROSSING COURT
FORTSON, GA 31808
Ph. (706) 568-7650

PROPOSED SITE INFORMATION:
1. PHASE II ACRES TO BE SUBDIVIDED: ±116
PHASE I ACRES: ±31
2. TAX PARCEL, ID# 43 10 05 22 0 000 002.000
AND 43 10 05 22 0 000 001.000
3. SMALLEST LOT #145 - SIZE ±15,018.46 SF
4. PROPOSED TOTAL OF 117 RESIDENTIAL LOTS.

UTILITY SERVICE INFORMATION:

ALL UTILITIES ARE TO BE PLACED UNDERGROUND.

SANITARY SEWER SERVICE IS AVAILABLE TO ALL OF
THE UNDEVELOPED RESIDENTIAL LOTS VIA AN
EXISTING MAIN TO THE SOUTHWEST AND EAST OF
THE PROPERTY.

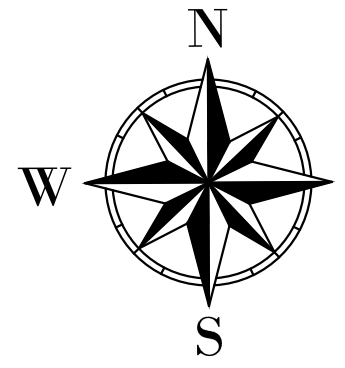
STORMWATER MANAGEMENT WILL BE PROVIDED.

WATER SERVICE IS ACCESSIBLE VIA THE FUZZY FALLS
RIGHT-OF-WAY, AND WEBBED WAY RIGHT-OF-WAY OF
DRAKE'S LANDING SUBDIVISION, PHASE 1.

BOUNDARY INFORMATION:
THE PROPERTY BOUNDARY WAS TAKEN FROM
EXISTING SITE CONDITIONS PERFORMED BY
STROZIER SERVICE, L.L.C. DATED 1/29/2020

LEGEND AND ABBREVIATIONS

LF= LINEAR FEET
(TYP)= TYPICAL
FT= FEET
PP= POWER POLE
R.O.W.= RIGHT OF WAY
S.F.= SQUARE FEET
SS= SANITARY SEWER
25'SWB= 25' STATE WATER BUFFER
100YR= 100 YEAR FLOOD LINE
PER= PERENNIAL STREAM
INT= INTERMITTENT STREAM



SCALE: 1" = 60'
FEET

BOLT ENGINEERING INC
CIVIL ENGINEERING • LAND PLANNING

PRELIMINARY
NOT FOR
CONSTRUCTION

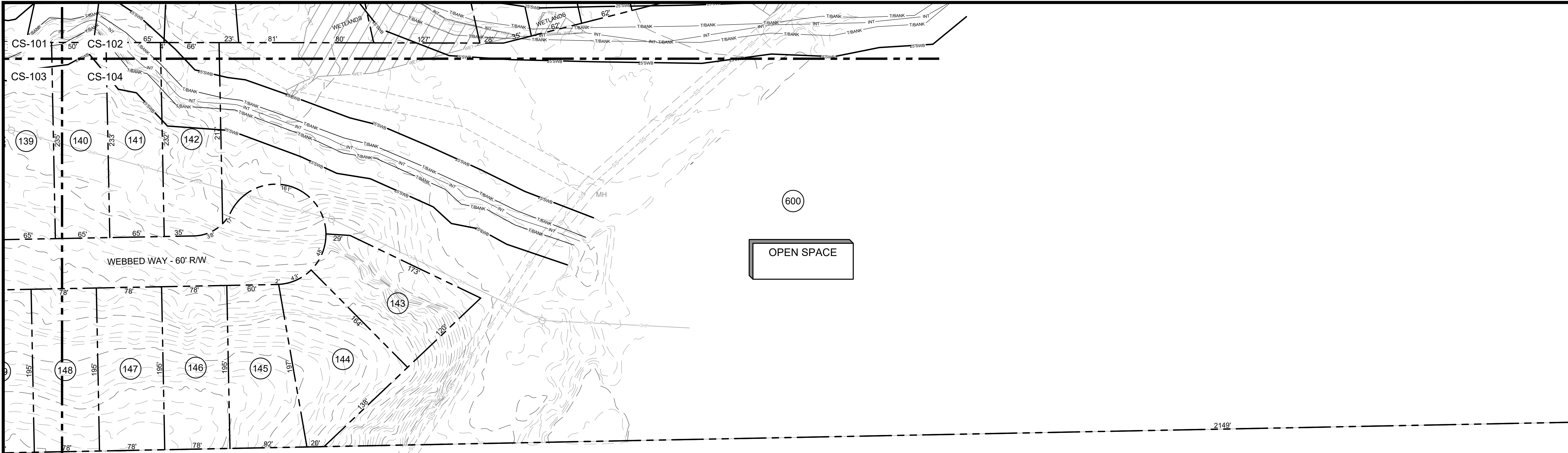
PRELIMINARY PLAT SOUTHWEST LAYOUT
DRAKE'S LANDING - PHASE II
SECTION 22, TOWNSHIP 19 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

DATE					
DESCRIPTION					
SYMBOL					

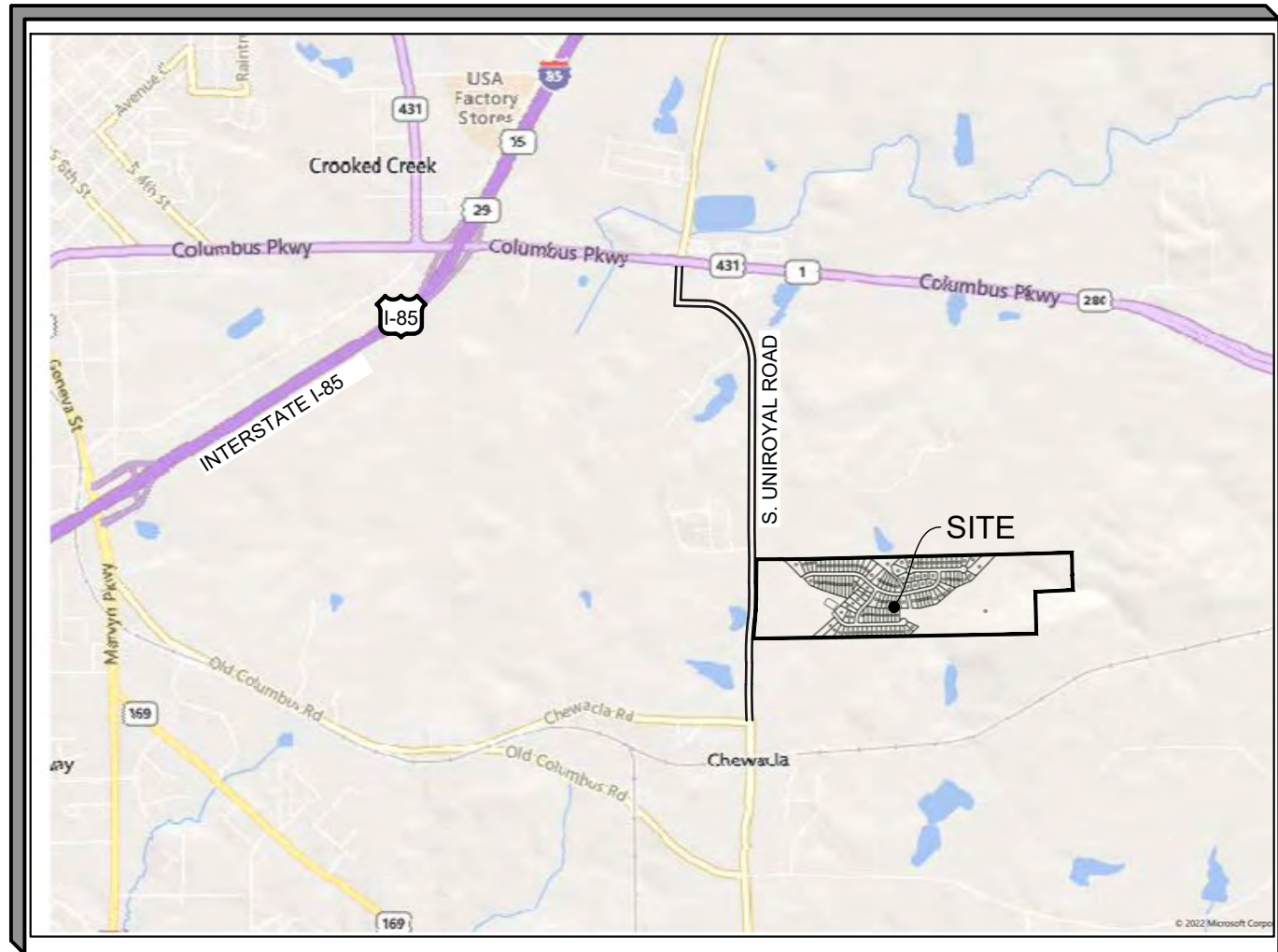
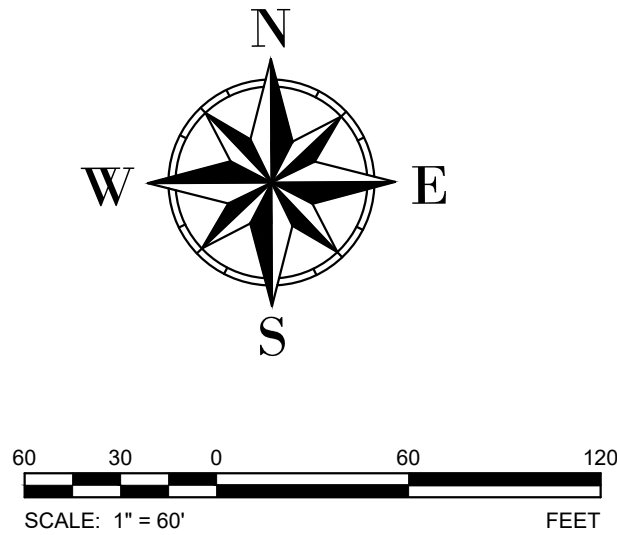
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SHEET #
CS-103

1/31/2022 2:10:13 PM, ARCH D (24.00 x 36.00 inches)



N/F
YOUNG REBECCA WALTON; PRICE OLIVE WALTON
2270 OLD COLUMBUS RD, OPELIKA, AL 36804
D.B. 192, P.G. 300
PARCEL ID. 43-10-05-22-0-000-005.000



VICINITY MAP
NOT TO SCALE

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PER FEDERAL EMERGENCY MANAGEMENT AGENCY
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144	17413.32	0.40
145	15018.46	0.34
146	15210.00	0.35
147	15210.00	0.35
148	15210.00	0.35
149	15210.00	0.35
150	15210.00	0.35
151	15210.00	0.35
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153	15210.00	0.35
154	15210.00	0.35
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168	19711.20	0.45
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173	22419.70	0.51
174	21111.06	0.48
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178	15876.50	0.36
179	15050.00	0.35
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601	10845.57	0.25

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PRELIMINARY PLAT SOUTHEAST LAYOUT
DRAKE'S LANDING - PHASE II
SECTION 22, TOWNSHIP 19 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

DATE					
DESCRIPTION					
SYMBOL					

JOB NO.: 22 211
INITIAL DATE: 01.20.22
SCALE: 1" = 60'

SHEET #

CS-104



2739

AGENDA ITEM # _____

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



DEADLINE: 2/1/22 MEETING: 2/22/22

SITE ADDRESS: Loblolly Dr. Lee Rd. 483
PROPERTY OWNER: Fenderson, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Keith A. Henderson / Arthur R. Nettles
MAILING ADDRESS: P.O. Bo 4204 Opelika, AL 36803
PHONE NUMBER: 334-744-0859 **FAX NUMBER:** N/A
EMAIL ADDRESS: fbhenderson@akridgebalch.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Flat Stone Estates Subdivision Ph. 2
Current Land Use: vacant
Current Zoning: inside planning jurisdiction
Proposed use of the Subdivision: residential

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

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

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

Fee: \$75.00

TOTAL = \$75.00

PAID ok #6766

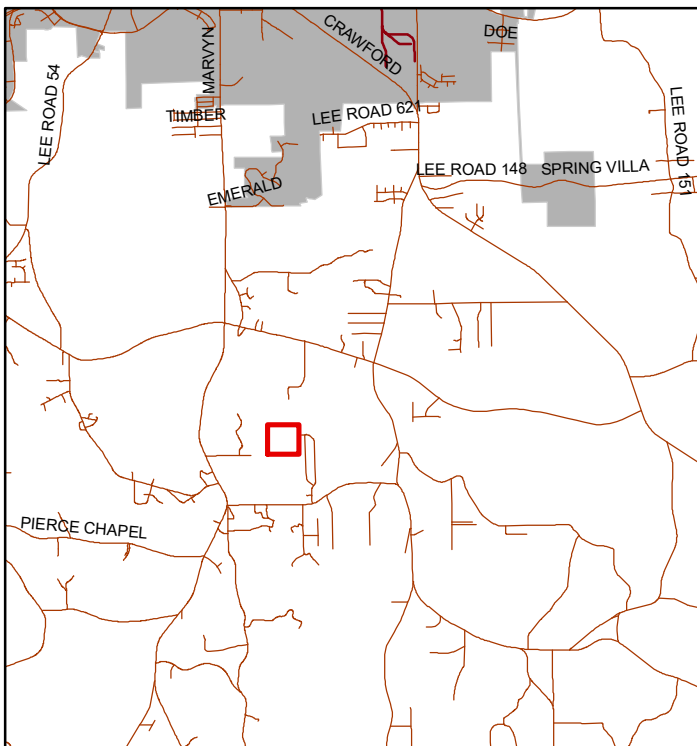
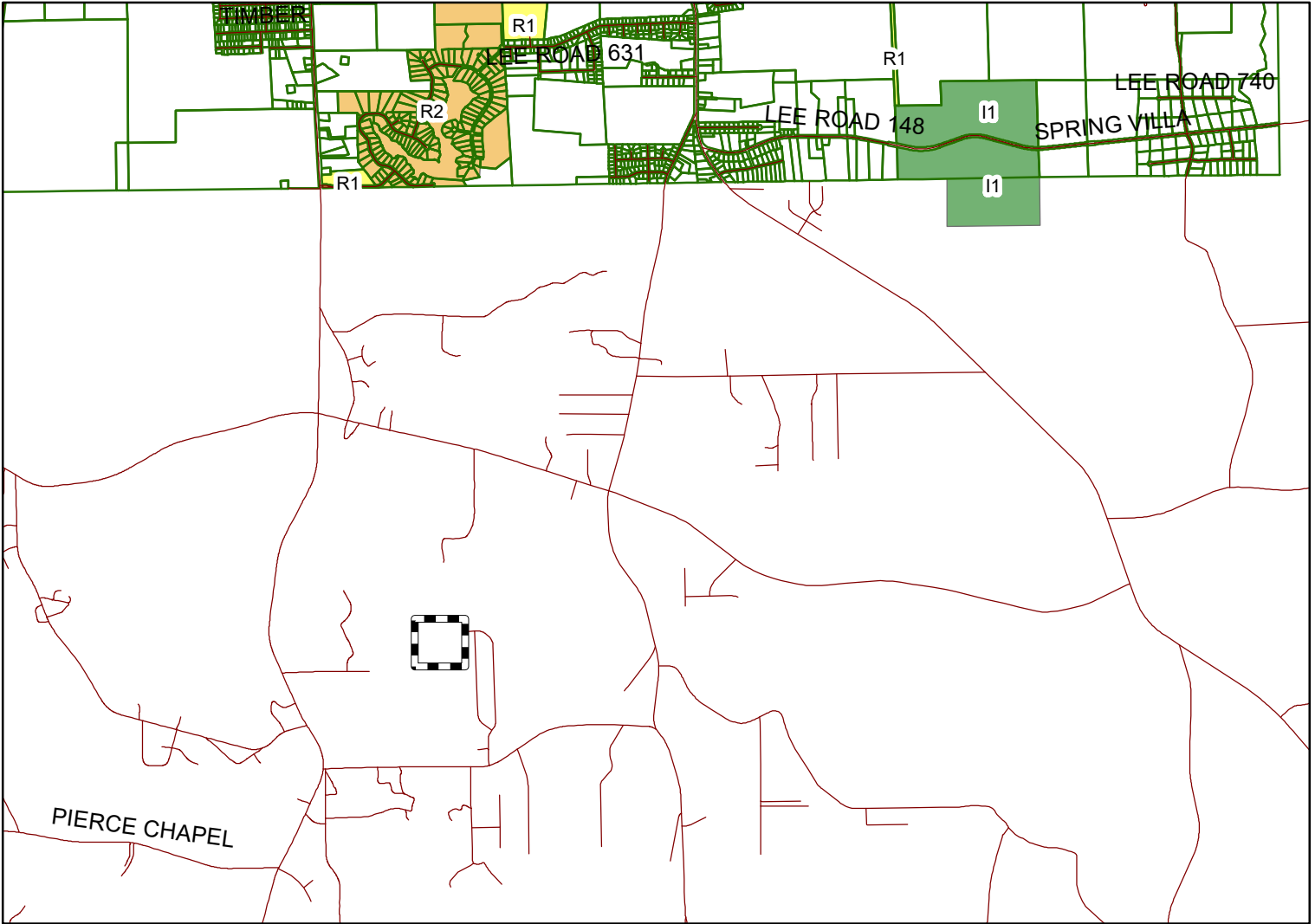
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Flat Stone Estates Subdivision Ph. 2 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision 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) Keith A. Henderson

DATE 11-24-2021

FLAT STONE ESTATES SUBDIVISION LEE ROAD 483 (LOBLOLLY DRIVE) FINAL APPROVAL, E-3



The applicant is requesting final approval for 11 single family home lots. Preliminary approval was given at the Feb 2021 PC meeting. The property is located in the PJ (Planning Jurisdiction) about 2.2 miles from Opelika City limits.



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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Subdivision: Flat Stone Estates Subdivision, Phase 2

Agenda Item #: D-3

Action Requested: Final Plat Approval

Location of Property: Loblolly Drive (Lee Road 0483)

Property Owner(s): Fenderson, LLC (Keith A. Henderson, Managing Member)
Ledge Nettles of Baseline Surveying (Representative)

Current Land Use: Undeveloped

Current Zoning: PJ (Planning Jurisdiction)

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0240G Southern portion of property located in Flood Zone X – 0.2% chance of flood, and Zone A, which are areas of subject to inundation of 1% Annual Chance Flood Event, No BFEs are shown.

Staff Comments:

The applicant is requesting final plat approval for a 11-lot subdivision. This subdivision is approximately 2.23 mile from the corporate limits in our Planning Jurisdiction. The purpose of the subdivision is to sale lots for single family home construction with septic systems. The lots range from 1.03 acres to 23.50 acres. The total area is 40.44 acres including new right-of-ways and roadway. Loblolly Drive was extended 732 feet. An unimproved future street is shown to provide access to the south portion of Lot 68. These lots meet the minimum requirements for a subdivision in the Planning Jurisdiction.

Planning staff recommends preliminary approval subject to:

- 1. Add the curve table for the lots around the cul-de-sac.**
- 2. Add the signature line for the Chairman of the Planning Commission**

Engineering Department Report

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

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

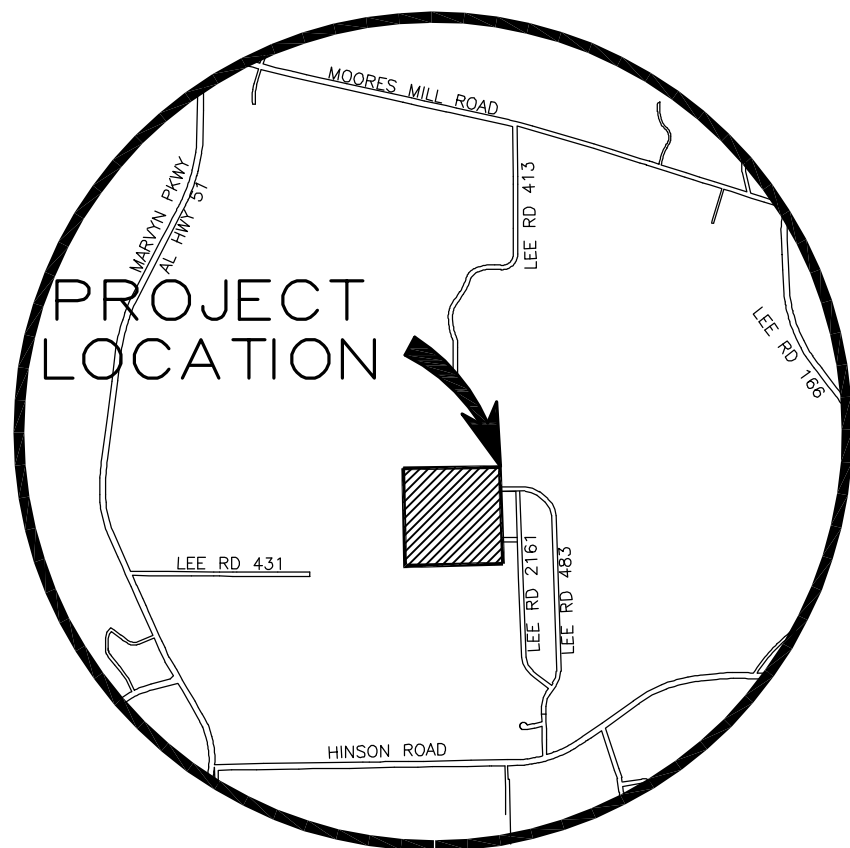
If these requirements are met, the Engineering Department recommends Final Plat approval.

Opelika Utilities Board Report

This subdivision is in Beauregard Water Authority's service area.

Opelika Power Services Report

This is outside of the Opelika Power Service territory.



VICINITY MAP
NOT TO SCALE

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE ____ DAY OF ____, 2022.

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

STATE OF ALABAMA
LEE COUNTY

I, KEITH A. HENDERSON, AS MANAGING MEMBER OF FENDERSON, LLC AND AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF ____, 2022.

KEITH A. HENDERSON, MANAGING MEMBER

STATE OF ALABAMA
LEE COUNTY

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

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

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

LEE COUNTY WATER, SEWER, UTILITIES:
STATE OF ALABAMA
LEE COUNTY

THE THE UNDERSIGNED, AS AUTHORIZED BY THE BEAUREGARD WATER AUTHORITY HEREBY APPROVED THE WITHIN PLAT FOR HE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA, THIS ____ DAY OF ____, 2022.

BEAUREGARD WATER AUTHORITY
COUNTY OF LEE, ALABAMA

LEE COUNTY ENGINEER:

THE UNDERSIGNED, AS COUNTY ENGINEER OF THE COUNTY OF LEE, ALABAMA, HEREBY CERTIFIES AS EVIDENCE BY CERTIFICATE AND REQUIRED BY STATE LAW, THAT THE CITY OF AUBURN PLANNING DEPARTMENT AND/OR COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA, THIS THE ____ DAY OF ____, 2022.

COUNTY ENGINEER
COUNTY OF LEE, ALABAMA

STATE OF ALABAMA
LEE COUNTY

THE LOTS ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE LEE COUNTY HEALTH DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS). THE APPROPRIATENESS OF A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS, AND THESE ARE ON FILE WITH SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HERE ON.

THIS THE ____ DAY OF ____, 2022.

HEALTH OFFICER
COUNTY OF LEE, ALABAMA

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:
PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:
CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:
OPELIKA UTILITIES BOARD: _____ DATE: _____

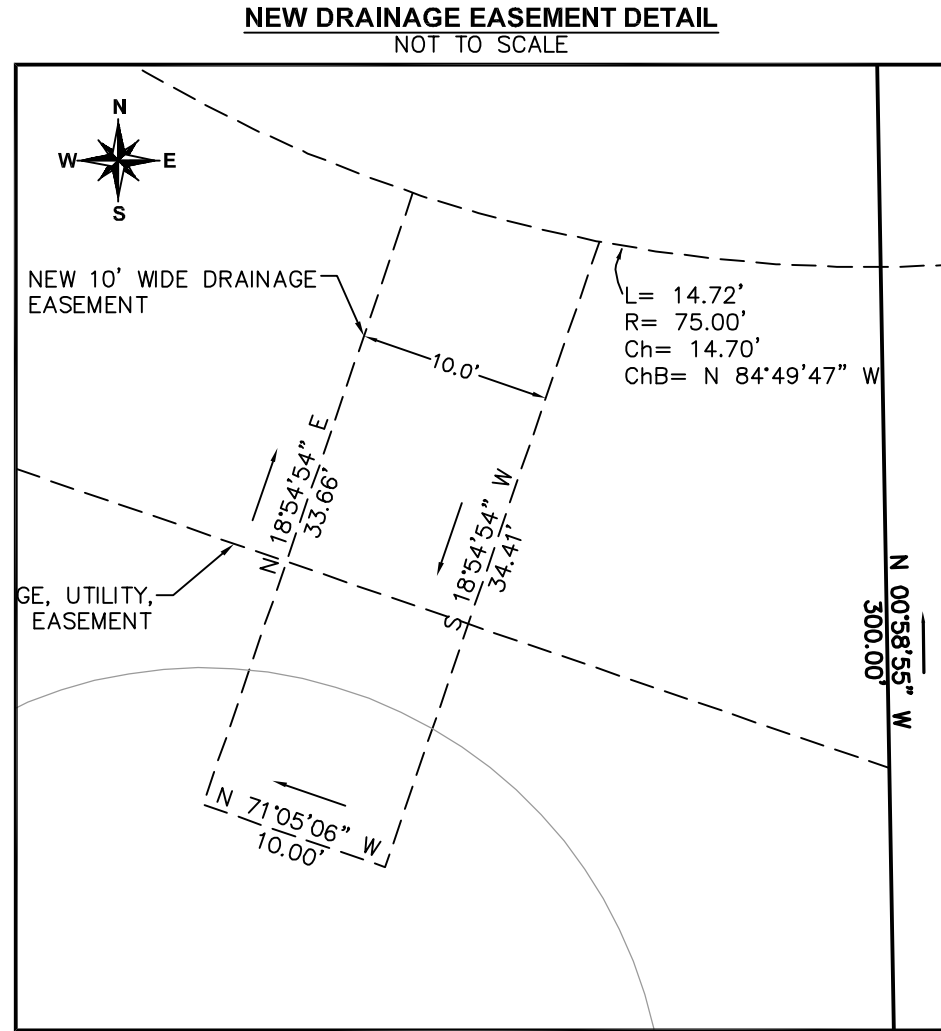
REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, ALABAMA:
OPELIKA POWER SERVICES: _____ DATE: _____

FLAT STONE ESTATES SUBDIVISION PHASE 2

43 17 04 17 0 000 002.000
AUBURN APARTMENTS LLC
606 LEE RD 0112
OPELIKA, AL 36804

43 17 04 17 0 000 002.006
HILLIER PARTNERSHIP LLP
RONALD W HILLIER
160 LEE RD 0413
OPELIKA, AL 36804

NOTE: ERROR IN DISTANCE CALL OF 1846.50' FROM PLAT BK 28,
PG 163 "FLAT STONE ESTATES". ACTUAL DISTANCE IS 1354.46'



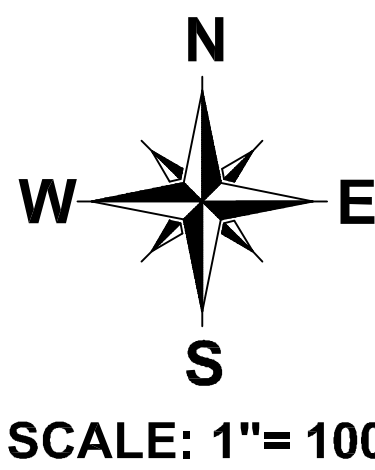
NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
3. NORTH IS BASED ON GRID NORTH.
4. SOURCES OF INFORMATION USED FOR PREPARATION OF THIS SURVEY INCLUDE:
 - PLAT OF FLAT STONE ESTATES, PLAT BOOK 28, PAGE 163.
 - DEED BOOK 2308, PAGE 132.
 - NO TITLE SEARCH WAS DONE AS PART OF THIS SURVEY.
 - THE SUBJECT PROPERTY'S ADDRESS IS 0 LEE ROAD 0431, BEAUREGARD, ALABAMA 36804.
5. OFFICEWORK COMPLETED APRIL 9, 2021.
6. THE GROSS AREA OF PHASE 2 IS 1,761,490.7 S.F. ± OR 40.44 AC. ±, WHICH INCLUDES NEW RIGHT-OF-WAYS FOR ROADWAYS. THE TOTAL NUMBER OF LOTS IN PHASE 2 IS 11.
7. THE SMALLEST LOT SIZE IN PHASE 2 IS 44,676.2 S.F. OR 1.03 AC., MORE OR LESS.
8. THERE ARE 732 LINEAR FEET OF STREETS IN THIS DEVELOPMENT.
9. ACCORDING TO FEMA FIRM MAP NUMBER 01081C0240G EFFECTIVE DATE NOVEMBER 2, 2011 FOR LEE COUNTY, ALABAMA THE PARCEL(S) LIE IN ZONE X, WHICH ARE HAVE 0.2% ANNUAL CHANCE OF FLOOD, AND ZONE A, WHICH ARE AREAS SUBJECT TO INUNDATION BY THE 1-PERCENT-ANNUAL-CHANCE FLOOD EVENT GENERALLY DETERMINED USING THE APPROXIMATE METHODOLOGIES, BECAUSE DETAILED HYDRAULIC ANALYSES HAVE NOT BEEN PERFORMED, NO BASE FLOOD ELEVATIONS (BFES) OR FLOOD DEPTHS ARE SHOWN.
10. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES; EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
11. EASEMENTS ARE PRIVATELY MAINTAINED.
12. ALL STRUCTURES, INCLUDING FENCES, ARE PROHIBITED ON EASEMENTS.
13. ACCESS TO EASEMENTS SHALL NOT BE RESTRICTED.
14. OWNER/DEVELOPER'S NAME AND ADDRESS: FENDERSON, LLC, P.O. BOX 4204, OPELIKA, AL 36803
15. THE REQUIREMENTS OF SECTION 6-1-2 OF LEE COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS SHOULD BE MET PRIOR TO FINAL PLAT APPROVAL.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	30.00'	25.23'	24.49'	N 66°53'13" W
C2	60.00'	51.16'	49.62'	N 67°13'05" W
C3	60.00'	46.74'	45.57'	S 86°02'17" W
C4	60.00'	70.18'	66.25'	S 10°12'36" W
C5	60.00'	70.18'	66.25'	S 56°48'36" E
C6	60.00'	51.16'	49.62'	N 65°15'16" E
C7	30.00'	25.23'	24.49'	N 64°55'24" E

LEGEND

- BASELINE: PLASTIC CAP ON THE TOP OF 5/8" REBAR BEARING BASELINE SURVEYING & DESIGN LLC'S ALABAMA LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER CA-022
- MSH: PLASTIC CAP ON THE TOP OF 1/2" REBAR BEARING MARK S. HADJISILERS ALABAMA LAND SURVEYING REGISTRY NUMBER 23002
- CRIMPED TOP
- OPEN TOP
- IRON PIN FOUND
- IRON PIN SET
- CALCULATED POINT
- CONCRETE MONUMENT FOUND
- SPRINKLER SET
- RIGHT-OF-WAY
- FIELD MEASUREMENT
- CHAIN LINK FENCE
- BARBED WIRE FENCE
- WOOD PRIVACY FENCE
- DOSWIRE FENCE
- EXISTING ELECTRICAL TRANSFORMER/ SWITCHBOX
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE
- EXISTING OVERHEAD ELECTRIC LINES



FLAT STONE ESTATES PHASE 2

SEC. 17 T 18 N R 27 E
BEAUREGARD LEE COUNTY ALABAMA
SCALE: 1"=100'
JANUARY, 2022
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA NO. 922

SHEET
G-2

THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC.
IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.
REPRODUCTION IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF BASELINE SURVEYING & DESIGN, LLC.
VERBAL FROM BASELINE SURVEYING & DESIGN, LLC.



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

ALABAMA

NO.	REVISION	DATE	APPR.

DESIGNED	DRAWN	DATE	JOB NO.
ARN	DMC	04/08/21	B66620.01

2738

AGENDA ITEM # _____



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



PC DEADLINE: 2/1/22 PC MEETING: 2/22/22

SITE ADDRESS: 621 Columbus Pkwy

PROPERTY OWNER: H&W Off-Road, LLC - Brandon Davis

APPLICANT/ AUTHORIZED REPRESENTATIVE: Matt Cobb

MAILING ADDRESS: 1492 Montrose Rd, Auburn AL, 36830

PHONE NUMBER: 334-734-3301

FAX NUMBER: _____

EMAIL ADDRESS: Mcobb@Cobbeng.com

PARCEL INFORMATION

Project name: H&W Off-Road Address/Location: 621 Columbus Pkwy

Current Land Use: Bot/RV Sales Current Zoning: C2-C3

Adjacent Zoning Districts: North: C3 South: C2 East: C2 West: C2-C3

Description of Proposed Use: Automotive Retail Sales, Truck accessories and Sales

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 2/1/22

**STATE OF ALABAMA,
COUNTY OF LEE**

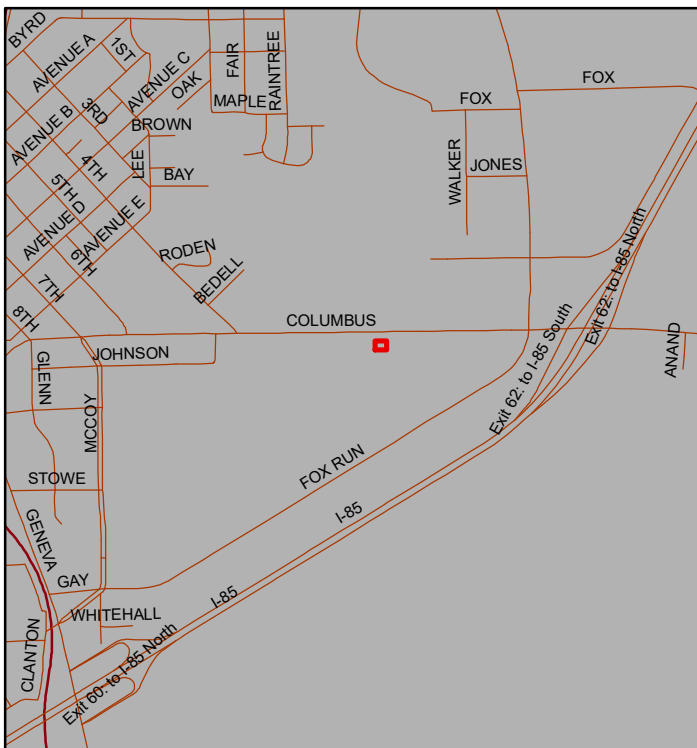
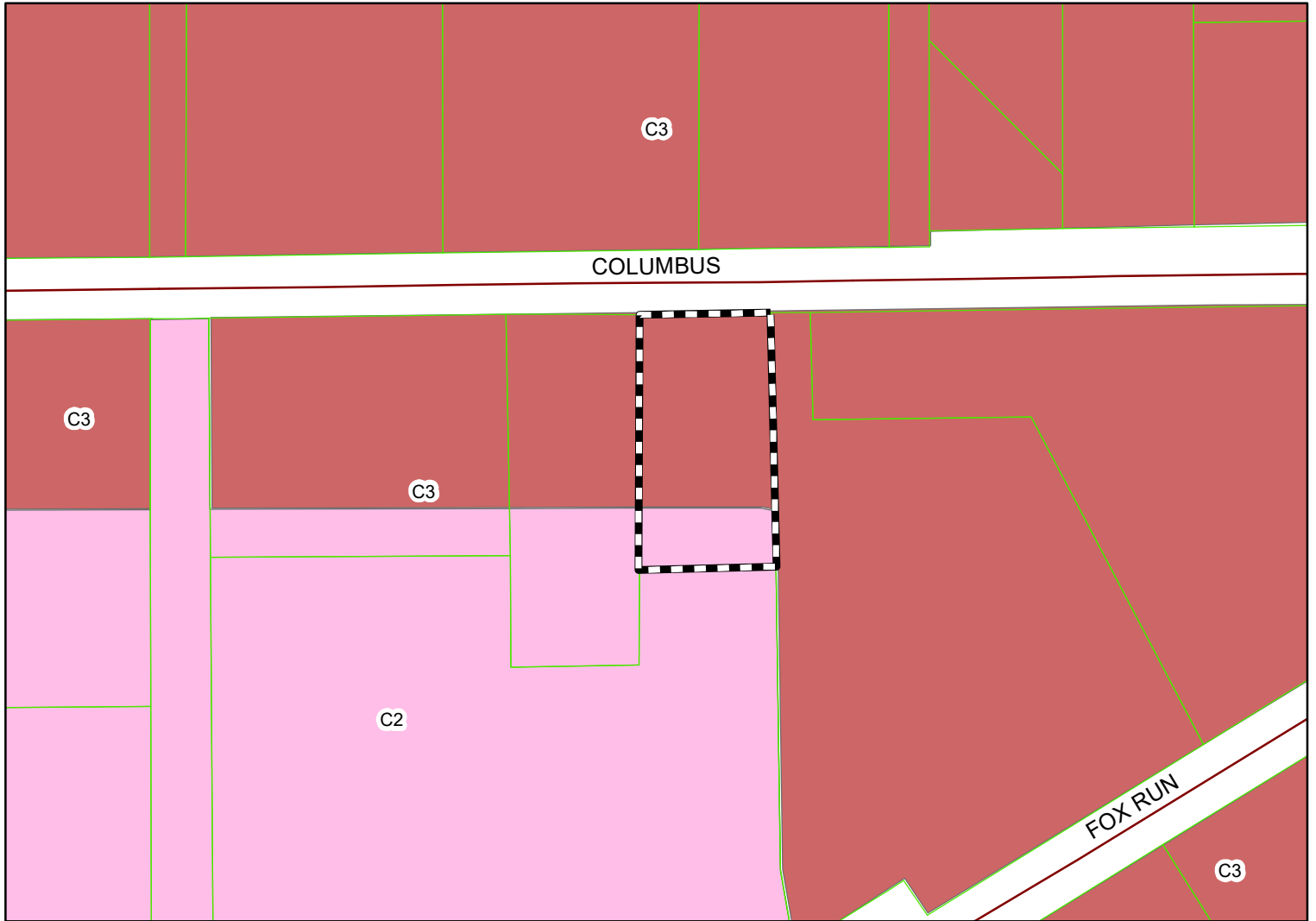
I, USA THIRIFT, a Notary Public in and for said County and State, hereby certify that Brandon Davis, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on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

Given my hand and seal of office this 21 day of FEB 2022,

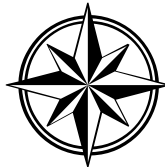
[Signature]
Notary Public

My Commission Expires: 07/08/2025

H & W OFF-ROAD TRUCK ACCESSORIES & AUTO SALES
621 COLUMBUS PARKWAY
CONDITIONAL USE, F-4



The applicant is requesting conditional use approval to install truck accessories and sale automobiles. The property is located in a C-3, GC-P 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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Agenda Item #: E-4

Action Requested: Truck Accessories/Sales, Auto Retail Sales

Property Owner(s): H&W Off-Road, LLC
Matt Cobb, authorized representative

Current Land Use: Commercial (vacant building)

Current Zoning: C-3 & C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-3, GC-P	Glynn Smith Chevrolet
South	C-2, GC-P	Undeveloped
East	C-3, GC-P	Undeveloped
West	C-3, GC-P	H&W Motor Co.

Proposal

The applicant is requesting conditional use approval to install truck accessories, sell accessories, and automotive retail sales for off-road vehicle. A typical auto body shop and auto painting for all types of vehicles will not be provided; the business serves the off-road vehicles. The property was ‘Opelika Camper Sales’ (then Ashley Boat & RV) that sold new/used RVs, campers, and serviced RVs/campers. Opelika Camper Sales is now closed and H&W Off-Road desires to open a business. The off-road business will have 10 employees. H&W Off-Road is associated with the ‘parent’ company H&W Motor Company (automobile sales and service) located on the adjacent property. H&W Motor Company opened about 30 years ago.

The 1.9 acre lot has three existing buildings (4,440 sf open metal cover with six parking aisles, 3,660 sf office building, 2,820 sf metal building). The open metal cover in front yard is for customer parking. The site plan also shows a proposed 7,800 sf auto shop building near the rear property line; minimum building setbacks are met for the building. The front exterior material of the auto shop building will match the fiber cement siding on the existing 3,660 sf adjacent building. The cement siding installed is also required along both side walls of auto shop building for at least 26 feet. Fiber cement (cementous siding) is an approved exterior material for new building construction in the Gateway Corridor district as provided in Section 7.6, 6. b.

The 21 off-street parking spaces provided on site plan is adequate for an off-road vehicle specialty business. In addition to the 21 parking spaces there are five lifts for vehicles in the auto shop. Also, it appears from site plan that parking is available behind the office building.

Vehicle service activities will take place in the 7,800 sf auto shop building. The auto shop has two 12 x 14 roll-up doors: the front wall has a roll-up door, and a roll-up door is on the west side wall; vehicles enter the auto shop in the front and exit the side wall. After vehicles are serviced, the vehicles will park under the existing 4,400 sf open cover until customer pick-up. The front wall of the auto shop building is 285 feet from Columbus Parkway; it appears the visibility of service activities from Columbus Parkway will be minimal.

The landscape plan provided shows landscaping along Columbus Parkway. Landscaping in this area should comply with Section 7.6 Gateway Corridor Overlay requirements.¹ The large and medium trees shown on plan are allowed but shrubs are required between the trees to buffer the lot. Staff figured 185 base points required for the 82,596 sf lot plus 21 parking lot points. The new 7,800 sf auto shop building has landscape islands on each side of the front roll-up door. The adjacent existing office building will be landscaped along the front of building. As shown on landscape plan, a minimum 10 foot grass area is required between the side property lines and the edge of proposed asphalt.

The maximum ISR (Impervious Surface Ratio) allowed is 70%. The ISR for the 82,596 sf lot was 80%, but the applicant/contractor removed an existing concrete area in the front yard area that decreased the ISR from 80% to 69%.

Staff recommends approval subject to the following conditions:

1. Revise landscape plan to meet the minimum 185 minimum base points and install a landscape buffer along Columbus Parkway as described in the Landscape Regulations.
2. All vehicle service activities must be performed inside the building not outdoors.
3. Storage of vehicles on the property is limited to 90 days.
4. As the site plan is labeled near Columbus Parkway, no storage of auto accessories or vehicles waiting for service are allowed in the area labeled '*existing asphalt to remain*' or between the '*existing bldg*' (office) and the '*relocated gate*' (i.e., front gate near Columbus Parkway).
5. Vehicle parts removed must be stored inside the building not outside.
6. If vehicle washing, cleaning or detailing is provided the discharge of wastewater on the ground is prohibited; a drainage system with inlet to collect the wastewater and detergents must be constructed and connected to the sanitary sewer system as approved by the applicable departments.

¹ Off street parking lots, fronting on the public right-of-way of a designated gateway corridor shall provide a 15 foot wide planting area between the property line and edge of parking lot. The planting area shall consist of plants as listed in Section 10.6, D.2.b of the Landscape Regulations. A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

7. A dumpster is not shown on site plan. If dumpster(s) installed can be seen from Columbus Parkway the dumpster must be enclosed with an opaque fence and gate at a height, so dumpster is not seen outside the enclosure.

Engineering Department Report

Since there is no significant drainage to be installed and because the disturbed site is less than one acre, there will not be a need for a site plan or Land Disturbance permit issued through the engineering department. The individual site plan and permit will be issued through the building inspections department as the units are permitted for construction.

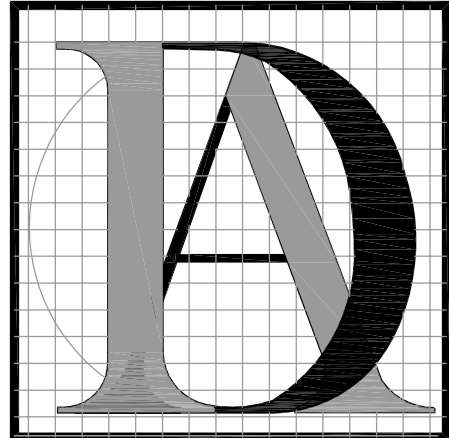
The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Opelika Utilities Board Report

Water service is accessible to this use by Opelika Utilities.

Opelika Power Services Report

This is inside the Opelika Power Service territory.



AUBURN DESIGN STUDIO
3371 SKYWAY DR.
AUBURN, AL 36830
334-546-1283

A NEW SHOP FOR
H&W OFFROAD

Columbus Parkway
Opelika, Alabama

EXTERIOR
ELEVATIONS

Sheet Title:

Project No: 21-119

Date: 1/31/22

Revisions:

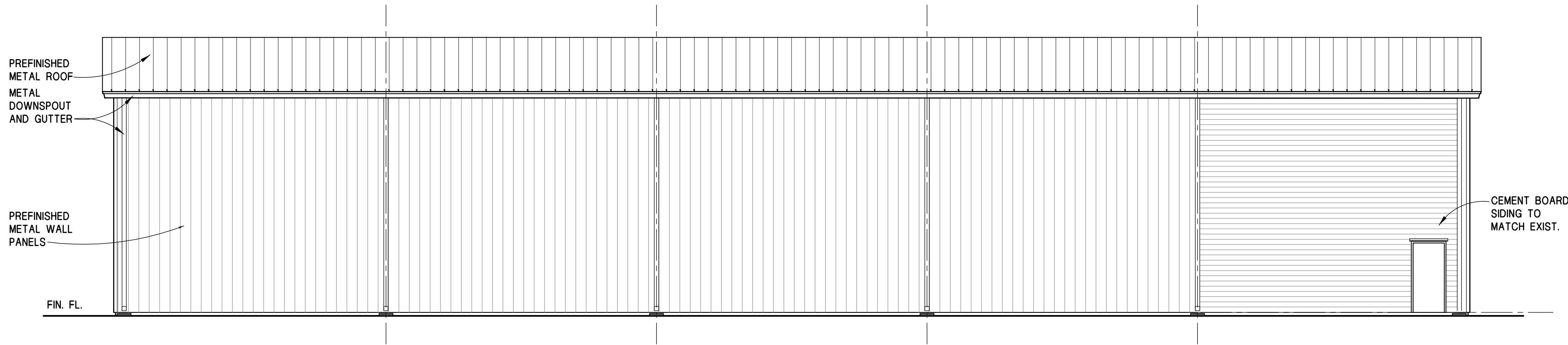
Sheet No:

A-1



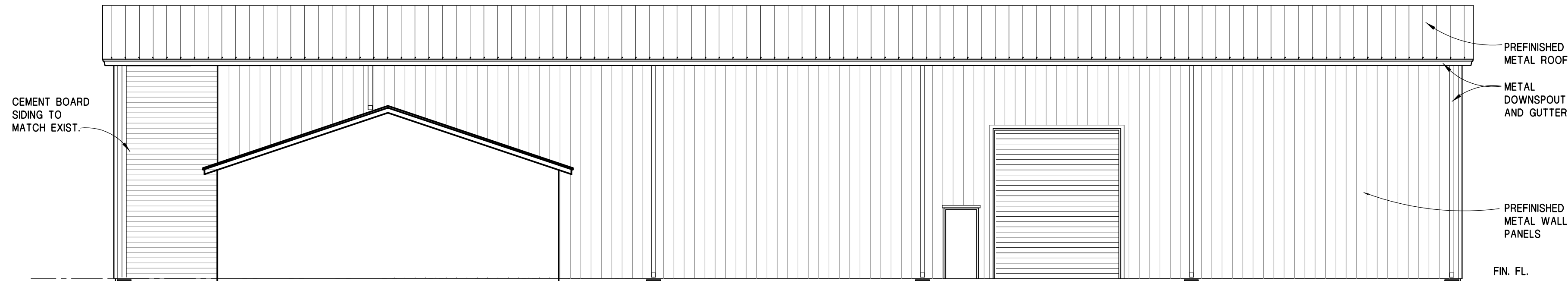
FRONT ELEVATION

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



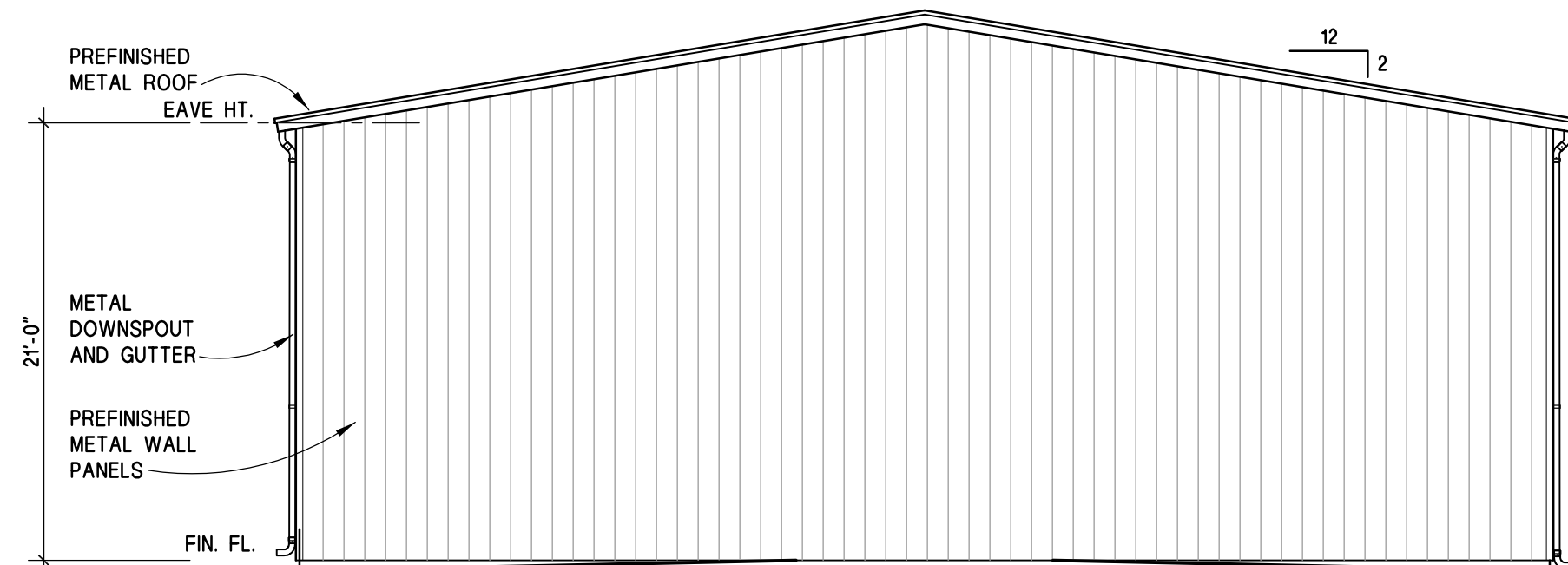
SIDE ELEVATION

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



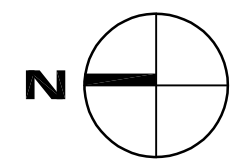
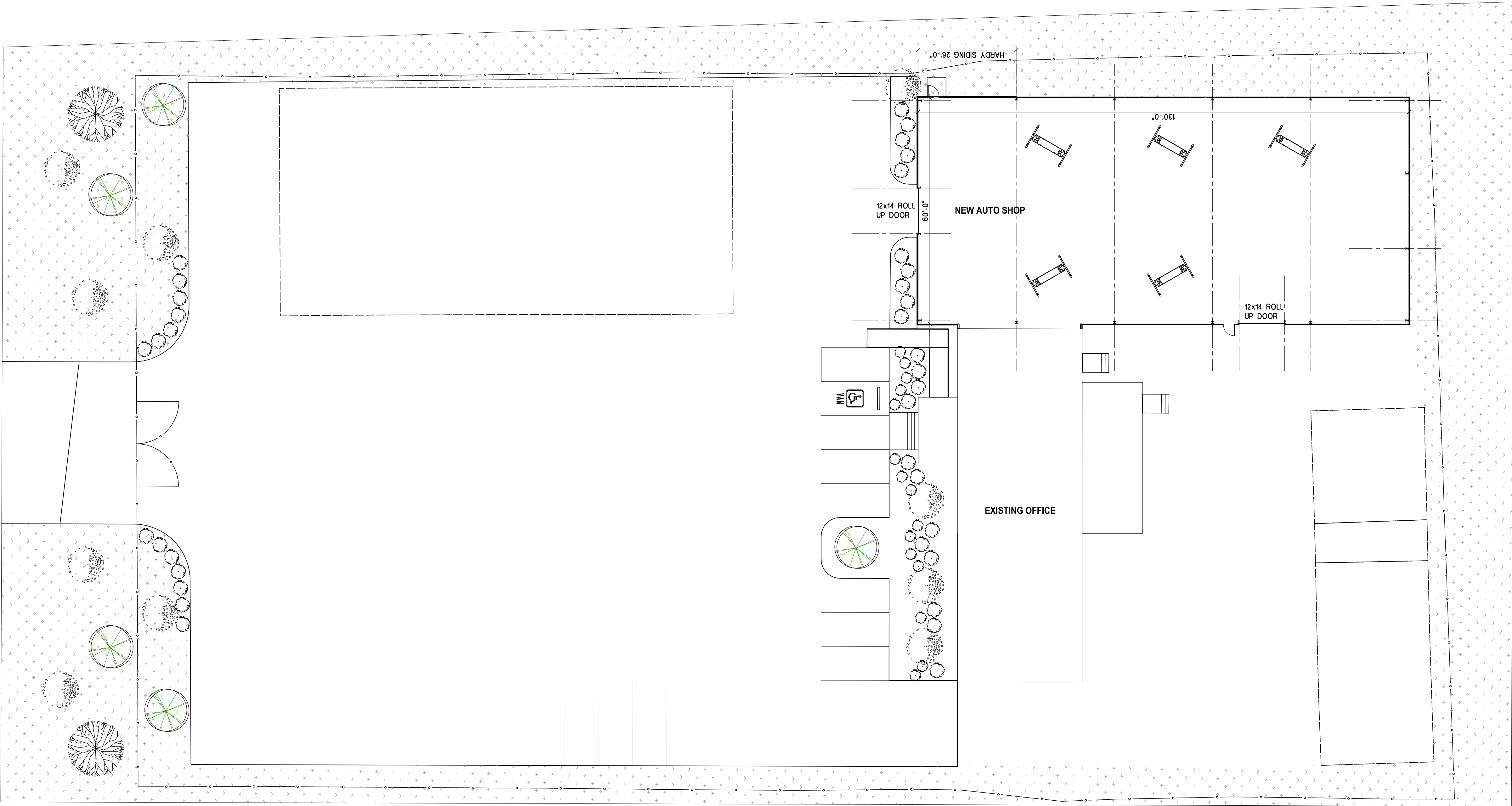
SIDE ELEVATION

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

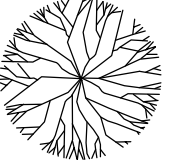
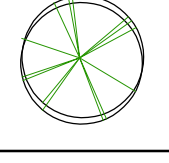
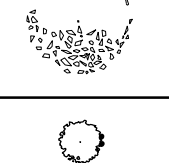
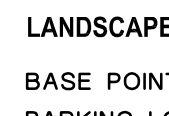


REAR ELEVATION

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



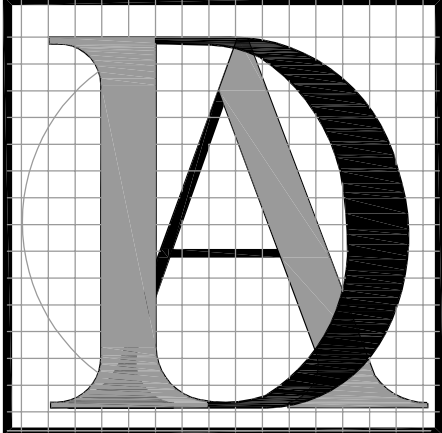
LANDSCAPE PLAN
SCALE 1/16" = 1'-0"

LANDSCAPE LEGEND				
		QTY.	SIZE	POINTS
	LARGE TREE	2	2"- 2.5" CALIPER	22
	MEDIUM TREE	5	1.25"-1.5" CALIPER	50
	UNDERSTORY TREE	10	1.25"-1.5" CALIPER	40
	SHRUB	51	1 GALLON	51

LANDSCAPE POINT REQUIREMENT

BASE POINTS REQUIRED:	140
PARKING LOT POINTS REQ:	21
TOTAL POINTS REQUIRED:	161
TOTAL POINTS PROVIDED:	163

NOTE: ACCEPTABLE PLANTS ARE LISTED IN THE CITY OF OPELIKA LANDSCAPE ORDINANCE OR AS APPROVED BY THE CITY HORTICULTURIST. PLANT SELECTION BY LANDSCAPE CONTRACTOR AND OWNER.



AUBURN DESIGN STUDIO
3371 SKYWAY DR.
AUBURN, AL 36830
334-546-1283

**A NEW SHOP FOR
H&W OFFROAD**

Columbus Parkway
Opelika, Alabama

LANDSCAPE PLAN

Sheet Title:

Project No: 21-119

Date: 1/31/22

Revisions:

Sheet No:

TOTAL PROPERTY AREA:	82,596 SQ FT
	OR 1.90 AC
IMPERVIOUS SURFACE AREA:	57,817 SF
EXISTING ISA =	65,945 SF
PROPOSED ISA =	87,817 SF
MAXIMUM ISR =	0.70
PROPOSED ISR =	0.75
EXISTING ISR =	0.80

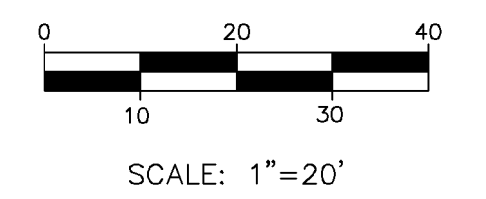
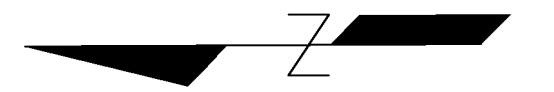
ONING:
C-3

EXISTING PARKING SPACES	N/A
1 SPACE / EMPLOYEE=10 EMPLOYEES	10 SPACES REQ'D
1 ACCESSIBLE SPACES	

PROPOSED PARKING SPACES 21 SPACES (Incl. 1 HC Spaces)

1. THE CITY OF PEPLIKA ENGINEERING DEPARTMENT SHALL BE NOTIFIED 72 HOURS PRIOR TO BEGINNING WORK AND 24 HOURS PRIOR TO RESUMING WORK. (P-334.705.5450)
2. ALL CONSTRUCTION MATERIALS SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS OF PEPLIKA PUBLIC WORKS DEPARTMENT AND THE CITY OF PEPLIKA WATER DEPARTMENT, IF NOT OTHERWISE SPECIFIED, ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE AUSTIN STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (CURRENT EDITION) AND THE ALOOT SPECIAL AND STANDARD HIGHWAY DRAWINGS (CURRENT EDITION).
3. PRIOR TO BEGINNING CONSTRUCTION, IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE ALL UTILITIES LOCATED. ANY UTILITY LINES DAMAGED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. (ALABAMA LINE LOCATION CENTER 1-800-292-8525)
4. ALL NECESSARY TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, 2003 EDITION.
5. NO PERMANENT STRUCTURES MAY BE CONSTRUCTED OR PLACED ON EASEMENTS. FENCES MAY BE ERECTED PERPENDICULAR ACROSS THE EASEMENT PROVIDED THERE IS A MINIMUM 12-FOOT WIDE ACCESS GATE INSTALLED. IF THE GATE IS TO BE LOCKED THERE MUST BE A CITY-APPROVED LOCK INSTALLED IN CONJUNCTION WITH THE OWNER'S LOCK. NO TREES SHALL BE PLANTED WITHIN 30 FEET OF UTILITIES.
6. COORDINATE WITH CITY OF PEPLIKA INSPECTIONS DURING CONSTRUCTION
7. RE-ESTABLISH ALL RIGHT OF WAY AREAS WHICH IS DAMAGED OR DISTURBED TO ORIGINAL CONDITIONS OR BETTER DURING AUTHORIZED WORK. ALL WORK IN PURSUANCE TO CITY SHALL COMPLY WITH APPLICABLE CITY SPECIFICATIONS.
8. NO TRUCKS OR EQUIPMENT SHALL BE PARKED OR STORED ON CITY RIGHT-OF-WAY AT ANY TIME.
9. CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL ACCESSIBLE PARKING SPACES, RAMPS, AND ROUTES ARE IN COMPLIANCE WITH CURRENT ADA GUIDELINES. NOTIFY ENGINEER IF ANY QUESTIONS ARISE CONCERNING COMPLIANCE.
10. ALL SPOT ELEVATIONS ARE SHOWN AT THE EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.

1. ALL DIMENSIONS USED TO SHOW THE LAYOUT OF THE PROPOSED FEATURES ARE SHOWN AT THE FACE OF CURB OR OUTSIDE FACE OF BUILDING.
2. SEE ARCHITECTURAL PLANS FOR ACTUAL DOOR LOCATIONS AND OTHER BUILDING SPECIFICS. THERE SHALL BE A 5'-4" LANDING AT ALL EXTERIOR DOOR LOCATIONS SLOPED NO GREATER THAN 2% IN ALL DIRECTIONS.
3. A SEPARATE SIGN PERMIT IS REQUIRED FOR ANY ONSITE SIGNAGE.
4. ALL WORK WITHIN THE CITY OF OPEKA RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH CURRENT CITY OF OPEKA SPECIFICATIONS.
5. ALL TRAFFIC CONTROL SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
6. ALL ADA RAMPS, PARKING SPACES, S/NRANGE, AND STRIPING, SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADA STANDARDS FOR ACCESSIBLE DESIGN. ALL RAMPS SHALL HAVE A 1:12 MAX. SLOPE. SLOPE AID 2% MAX. CROSS SLOPE. ALL ADA PARKING SPACES SHALL HAVE NO MORE THAN 2% SLOPE IN ANY DIRECTION INCLUDING THE PARKING SPACE AREA AND HATCHED AREA.



ALABAMA
LICENSED
No. 31165
PROFESSIONAL
ENGINEER
MATTHEW T. COBB

CLIENT
H&W OFFROAD

SUBDIVISION
SITE REVISION
OPELIKA, AL

REVISIONS

>
>
>
>
>

SITE PLAN

OWN BY: M COBB
DESIGNED BY: M COBB
DRAWN BY: M COBB
APPROVED BY: M COBB

JANUARY 28, 2022	
PROJECT NUMBER	2202

C-3



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

2733

PC DEADLINE: 2/1/22 PC MEETING: 2/22/22SITE ADDRESS: South 10th Street at Avenue CPROPERTY OWNER: Marsh Real Estate Investments, LLCAPPLICANT/ AUTHORIZED REPRESENTATIVE: James H. Daws, Sierra Development Group, Inc.MAILING ADDRESS: 401 Cherry Street, Suite 600, Macon, GA 31201PHONE NUMBER: 478-256-0332 FAX NUMBER: _____EMAIL ADDRESS: jhdaws@sierradevelopment.net**PARCEL INFORMATION**Project name: The Taylor Address/Location: South 10th StreetCurrent Land Use: Office/Retail Current Zoning: C1Adjacent Zoning Districts: North: C1 South: C2 East: C2 West: C2/R2Description of Proposed Use: Multi-Family Development**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

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

Property Owner's Signature: Katherine A. Marsh Date: 1/31/22

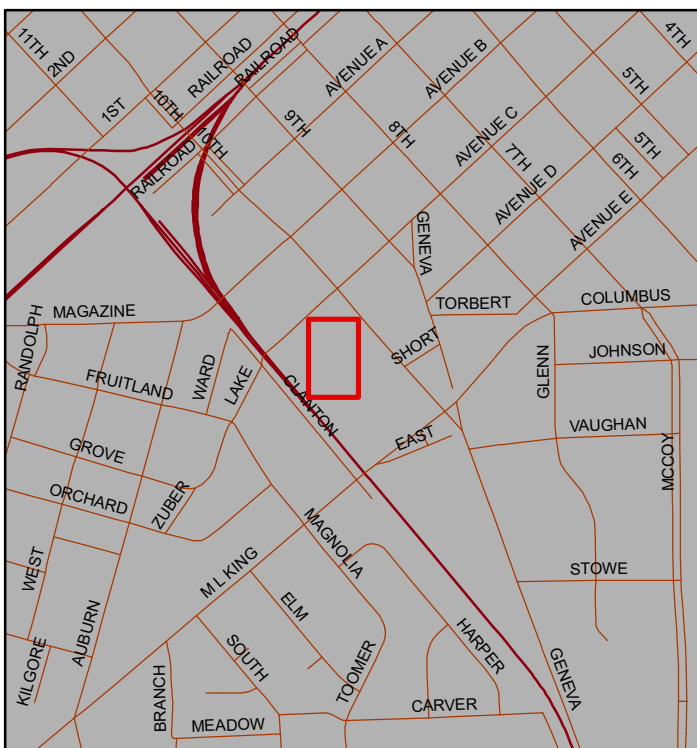
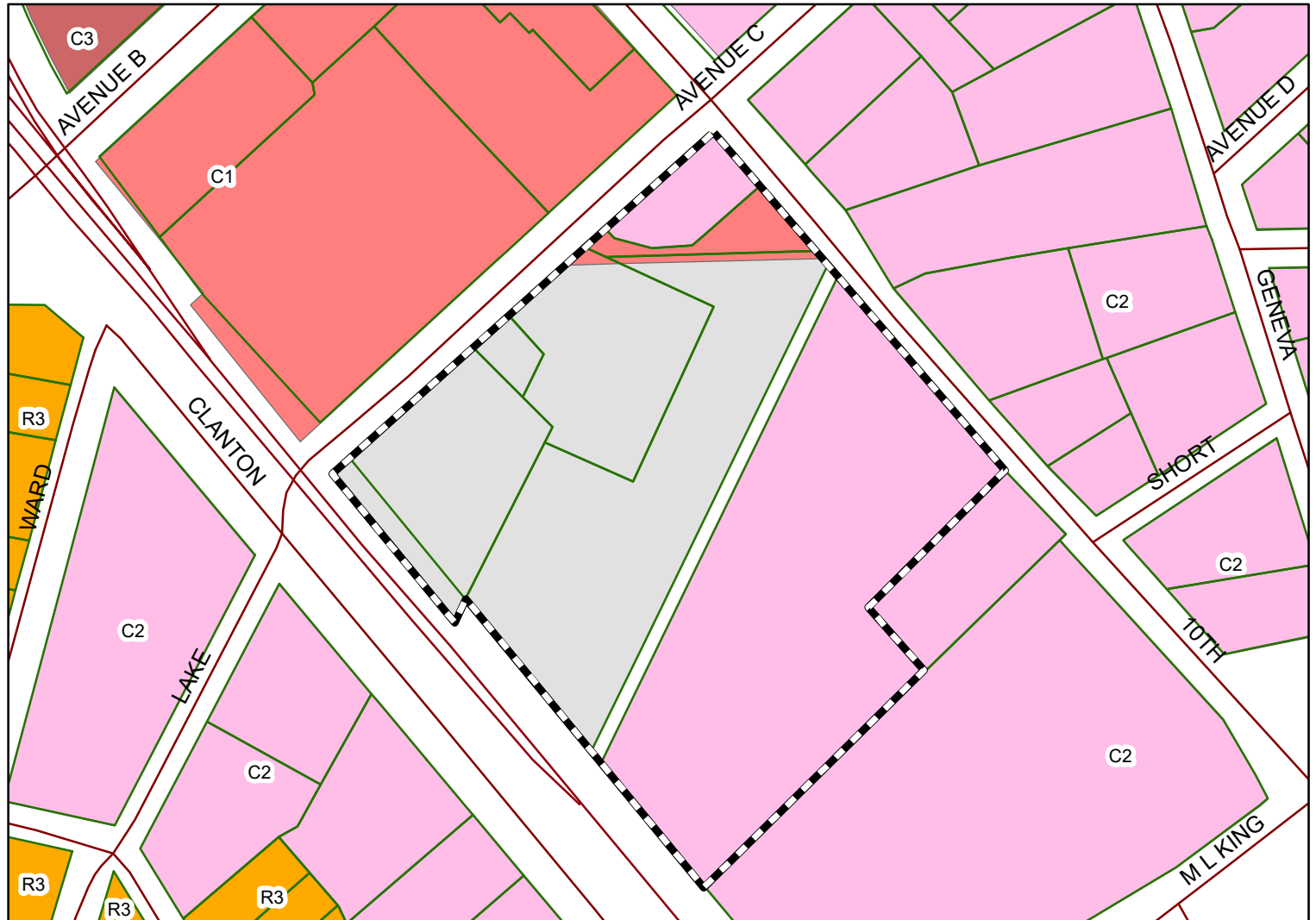
STATE OF ALABAMA,**COUNTY OF LEE**

I, Shelby Atwell, a Notary Public in and for said County and State, hereby certify that Katherine A. Marsh, 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 31st day of January 2022,
Shelby Atwell
Notary Public

My Commission Expires: December 16, 2023

MARSH REAL ESTATE APARTMENTS SOUTH 10TH STREET AND AVENUE C CONDITIONAL USE, F-5



The applicant is requesting approval for 185 apartment units on 7.8 acres. A rezoning request to a C-1 zoning district was sent to City Council for a public hearing. The City Council public hearing is March 15th.



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.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	February 22, 2022
Agenda Item #:	F-5
Action Requested:	Conditional Use – Multi-family Residential – 182 units
Location of Property:	South 10 th Street and Avenue C
Property Owner(s):	Marsh Real Estate Investments, LLC Jim Daws, authorized representative
Current Land Use:	Farmers Market, Office, Vacant
Current Zoning:	C-1, C-2 & M-1 with GC-S overlay (rezoning to C-1 pending)
Surrounding Zoning Districts And Land Uses:	North C-1 Event Space, Retail, Storage South C-2 Office and Police Station/Courtroom East C-2 Office and Multi-family Residential West C-2 Mobile Home Park, Contractor Storage

The applicant is requesting conditional use approval for a 182-unit multi-family development on 7.14 acres. The subject property is located on the southeast corner of the intersection of S. 10th Street and Avenue C. Currently, the property has two vacant buildings, a farmer's market and the remnants of a cotton warehouse. The property was the subject of a rezoning that was recommended to City Council in January and will likely be decided in Early April.

The development would include four 4-story buildings with residential units. The 182 units consist of 92 1-bedroom units, 78 2-bedroom units, and 12 3-bedroom units. This totals 284 bedrooms. The site would also include amenities such as a pavilion, swimming pool, and outdoor common space. The first floor of the northernmost building on S. 10th Street would also include a fitness center, lobby/clubhouse, mailroom, and complex offices.

The development will have vehicular access from two points on S. 10th Street and two points Avenue C. The City Engineering Department is working with the applicant to add turn lanes and widen the right-of-way for this section of 10th Street. Additionally, the right-of-way for Avenue C will be

reconfigured to add some on street parking for the existing commercial uses and reduce the oversized lanes that are currently present. The location of multiple curb cuts on two streets allows traffic to access 10th Street or to use Avenue C to access the grid street network and disperse traffic. Sidewalks will be added and reconfigured throughout the development. This will also include new pedestrian lighting and street trees.

The residential building would be 20 feet from S. 10th Street right-of-way. The City of Opelika is working with the applicant to acquire an additional 10 feet of right-of-way to allow for a center turn lane. The building is shown approximately 32 feet from the back of the proposed curb line after improvements. This would keep the building line close to the historic setback set by the buildings to the north and south along 10th Street. The closest building would be located approximately 40 feet from the right-of-way on Avenue C. To the west and south, the buildings would be between 50-100 feet to the nearest property line. There are no setbacks required in the C-1 zoning district, but the applicant arranged the buildings to provide substantial setbacks, especially on the non-street sides.

The residential buildings appear to be approximately 48 feet in height based on the elevations. While this seems high, it is about 10 feet taller than the newly constructed Opelika Police Station. It would also be slightly lower than the newly constructed annex and rear of the Lee County Courthouse. It is well under the main height of the Courthouse and the tower. The maximum height allowed in the C-1 zone is 75 feet. However, most of the C-1 zone is constrained by the Historic District Design Guidelines that require that buildings be in character with those nearby. This property is not in any historic district.

There are three styles of building shown in the elevations. The building on the corner of Avenue C and S. 10th Street is shown as a white traditional Art Deco building. This building appears to be a mix of painted brick and stucco. The building uses the proper proportions and location of building materials by placing the heavier brick materials at the base with lighter materials located above this. The building also uses an inset area to help break the building up and preventing a monolithic wall. Along the 1st floor, the building uses low walls to separate the public and private space for ground floor units.

The other building located along 10th Street uses a more modern take on an Art Deco style. This building uses brick and cement siding or corrugated metal in banded patterns on each floor. The building shares the same inset on the 4th floor to break the horizontal wall up. The ground floor residential units are separated from the public sidewalk in this building planter box walls. The two rear buildings mesh aspects and materials of the first two buildings together. The buildings feature some units with small balconies or larger corner balconies.

Staff recommends that any dumpster, compactor or refuse bin be screened with landscaping or materials that complement the buildings. Staff also recommends that all above ground meters, transformers, mechanical units or similar structures be located out of public view. Typically, with more urban developments like this we would prefer to see heating and cooling units be located on the roof behind a parapet wall. If this is not feasible, they should be located behind the primary façade of the building and/or heavily screened. Staff also recommends that all utility connections be placed underground.

Developments in the C-1 zone are not required to have parking or landscaping. However, due the location and configuration of this development, it makes sense that both are present and adequate. The site lists 248 parking spaces. This equates to 1.36 spaces per unit. This should be more than sufficient for the development due to the unit mix and the location adjacent to downtown. Staff is recommending that bicycle parking areas/racks be planned within the development due to the close proximity to downtown as well.

The applicant has provided a landscape plan that meets minimum requirements. The overall site would require 642 base landscaping points and 248 parking landscaping points totaling 890 points. The applicant is proposing to save four large existing trees that would give them 100 preservation points. The remainder of the points would be new plantings. The landscape plans show those points meeting just on trees without any shrubs that will likely be planted. The size of trees and shrubs on landscape plan must meet the minimum size requirements as provided in the Landscape Regulation.

The site is required to have a Gateway Corridor Buffer along the front. This is shown through significant street tree plantings. The applicant has mentioned that they specifically oversize the trees along the right-of-way for maximum and immediate visual impact. This also helps soften the building from the street and protect pedestrians. Although this use does not require any other specific buffers, the applicant has also added significant plantings along the south property line adjacent to the Police Station and law office. There is also a fence shown along the shared property line with the office, that was previously discussed.

Approval of this conditional use is contingent on City Council's approval of the rezoning to C-1. The Council will hold a rezoning public hearing and then vote at an April City Council meeting.

Staff recommends approval subject to the following:

1. City Council approves rezoning of the site to C-1
2. All above ground meters, transformers, mechanical units or similar structures be located out of public view. Typically, with more urban developments like this we would prefer to see heating and

cooling units be located on the roof behind a parapet wall. If this is not feasible, they should be located behind the primary façade of the building and/or heavily screened.

3. All utility services shall be underground.
4. If dumpsters 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.
5. Coordinate with the City Engineer to provide adequate right-of-way to accommodate a turn lane, approximately 10 feet.
6. Provide buffering as shown through the landscape plan including a fence along the shared property line with the adjacent law office.
7. No signage is approved through the conditional use plan. All signage must be approved by separate application to the Planning Department.

Engineering Department Report

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

Roadway access improvements and lane additions on South 10th Street and Avenue C may be required for this development. Either a traffic study shall be performed to determine what is required, or the applicant and City Engineering Department can determine what additions and improvements are needed for the existing roadway.

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Opelika Utilities Board Report

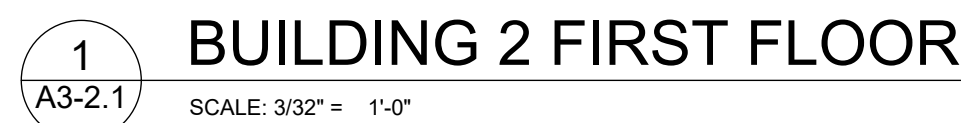
This use will be served by a master meter.

Opelika Power Services Report

This is inside the Opelika Power Service territory.



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FE	FIRE EXTINGUISHER - 5 # MIN. 2A 10BC, LOCATION SHALL MEET NFPA10	SR	SPRINKLER RISER ROOM
FDC	FIRE DEPARTMENT CONNECTION		2-HOUR BUILDING SEPARATION WALL
SP	STANDPIPE		INDICATES LOCATION OF HC UNITS

1. ALL BUILDINGS TO BE PROVIDED WITH COMPLETE SPRINKLER SHOP DRAWINGS, CALCULATIONS AND SPECS TO SUBMIT TO THE LOCAL JURISDICTION FIRE MARSHAL'S OFFICE AND THE ARCHITECT'S OFFICE FOR PERMITTING AND REVIEWING PURPOSES, INCLUDING A SITE PLAN SHOWING THE FIRE DEPARTMENT CONNECTION TO THE BUILDING.
2. ALL BUILDINGS TO BE PROVIDED WITH A COMPLETE APPROVED MANUAL FIRE ALARM SYSTEM WITH PULL STATIONS. SYSTEM SHALL BE EQUIPPED WITH AUDIBLE AND VISUAL ALERTING DEVICES.
3. INSTALL FIRE EXTINGUISHER IN EACH BREEZEWAY ON EACH FLOOR DURING CONSTRUCTION UNTIL THE SPRINKLER SYSTEM IS INSTALLED.
4. 4EN1-RECESSED FIRE EXTINGUISHER TO BE INSTALLED AT 4EN1 A.F.F. MAXIMUM. TRAVEL DISTANCE TO A FIRE EXTINGUISHER SHALL BE 75'-0" OR LESS FROM ANY POINT IN THE BUILDING.
5. AUDIBLE EMERGENCY ALARMS SHALL PRODUCE A MINIMUM OF 80db THROUGHOUT ENTIRE BUILDING AND SOUND SHALL EXCEED THE AMBIENT NOISE LEVEL BY 15db WITH ALL DOORS CLOSED AND EQUIPMENT IN OPERATION.
6. ALL BUILDINGS TO BE PROVIDED WITH EMERGENCY LIGHTING BATTERY PACKS IN ACCORDANCE WITH NFPA 101.
7. REFER TO STRUCTURAL DRAWINGS FOR SHEAR WALL LOCATIONS, TYPES AND ANCHORAGE REQUIREMENTS.
8. ALL SLABS SHALL BE FLUSH AT ENTRY UNITS DOORS. WARP AS REQUIRED. BREEZEWAY CONCRETE SLAB & WARP SHALL BE ONE POUR.
9. ALL UNITS SHALL MEET THE REQUIREMENTS OF THE FAIR HOUSING ACT.
10. ALL PLUMBING IN EXTERIOR WALLS SHALL BE ON THE INTERIOR OF THE INSULATION.
11. ELEVATOR HYDRAULIC PIPE SHALL NOT BE ROUTED IN ANY WALL OR CEILING SYSTEM CONTAINING A RESIDENTIAL UNIT.
12. **INSTALL CONTROL JOINTS AT 30FT INTERVALS ON CORRIDOR WALLS AND CEILING, AND WIRE CEILING FRAMING OR FURRING CHANGES DIRECTION.**
13. **INSTALL CONTROL JOINTS AT 10FT INTERVALS ON CORRIDOR FLOORS.**

STAMP:

CLIENT:

SIERRA
DEVELOPMENT
GROUP, LLC
ALABAMA

PROJECT:

THE TAYLOR AT OPELIKA

ALABAMA

DRAWING TITLE:

BUILDING 2 - 1ST FLOOR
PLAN

DRAWN BY: JA,JM, AA	CHECKED BY: #Checked By
SCALE: AS NOTED	DATE: #Project Date
PROJECT NUMBER: 2045	

DRAWING NUMBER:

A3-2.1

NOT RELEASED FOR CONSTRUCTION

RELEASE DATES

[illegible]

STAMP:

CLIENT:

SIERRA
DEVELOPMENT
GROUP, LLC
ALABAMA

PROJECT:

THE TAYLOR AT OPELIKA

ALABAMA

DRAWING TITLE:

BUILDING 3 - 1ST FLOOR

DRAWN BY:	CHECKED BY:
JA, JM, AA	#Checked By

SCALE:	DATE:
AS NOTED	#Project Date

PROJECT NUMBER: 2045

DRAWING NUMBER:

A3-3.1

NOT RELEASED FOR CONSTRUCTION

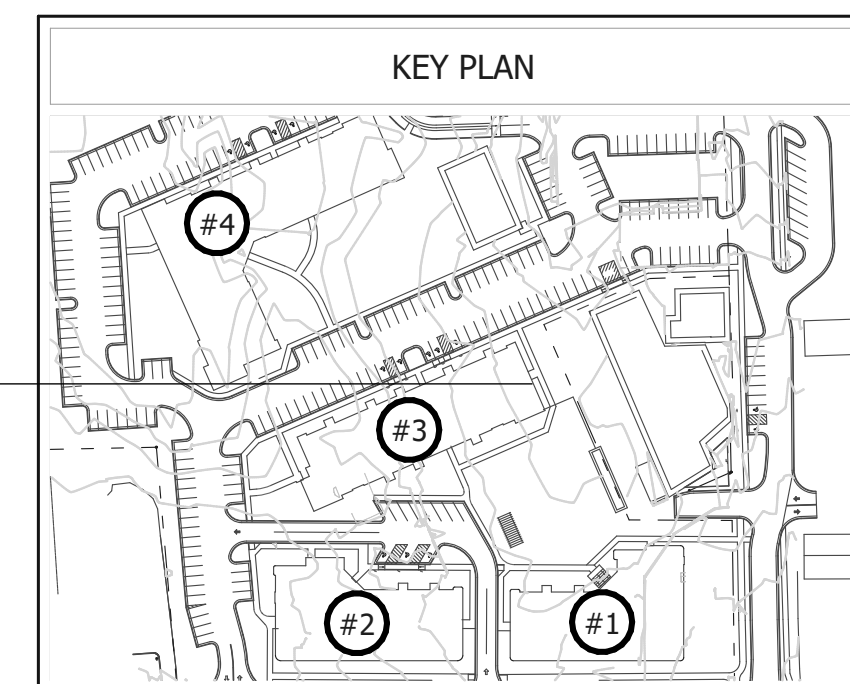


1
A3-3.1

BUILDING 3 FIRST FLOOR

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

Bldg. 3 - 1st Floor
A: 16,184 sq ft
P: 773'-8"



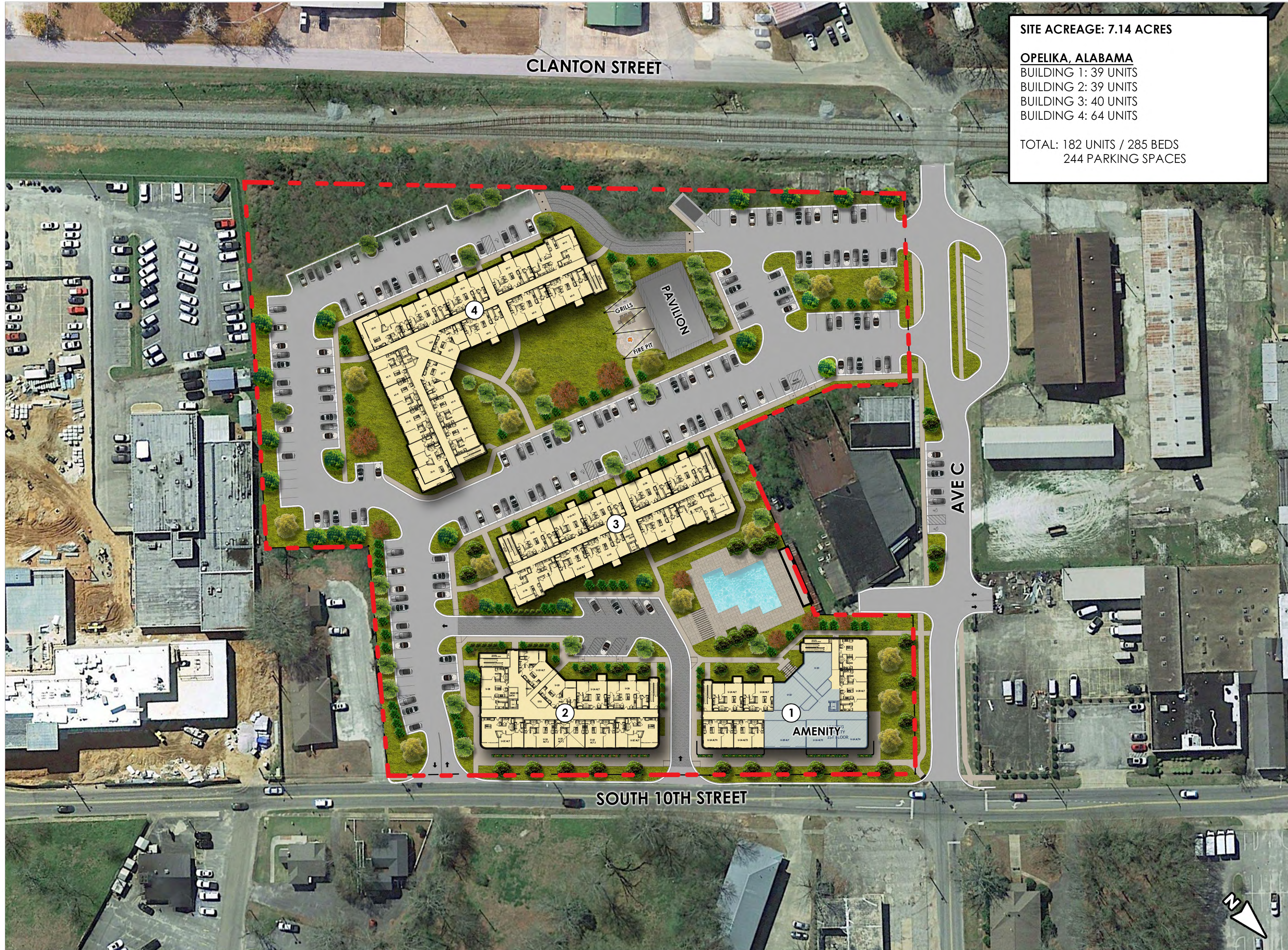
BUILDING LEGEND

	FE	FIRE EXTINGUISHER - 5 # MIN. 2A 10BC LOCATION SHALL MEET NFPA10		SR	SPRINKLER RISER ROOM
	FDC	FIRE DEPARTMENT CONNECTION			2-HOUR BUILDING SEPARATION WALL
	SP	STANDPIPE			INDICATES LOCATION OF HC UNITS

BUILDING PLAN NOTES

1. ALL BUILDINGS TO BE PROVIDED WITH COMPLETE SPRINKLER SHOP DRAWINGS, CALCULATIONS AND SPECS TO SUBMIT TO THE LOCAL JURISDICTION FIRE MARSHALL'S OFFICE AND THE ARCHITECT'S OFFICE FOR PERMITTING AND REVIEWING PURPOSES, INCLUDING A SITE PLAN SHOWING THE FIRE DEPARTMENT CONNECTION FOR EACH BUILDING.
2. ALL BUILDINGS TO BE PROVIDED WITH A COMPLETE APPROVED ALARM AND SMOKE DETECTOR SYSTEM WITH ALL STATIONS. SYSTEM SHALL BE EQUIPPED WITH AUDIBLE AND VISUAL ALERTING DEVICES.
3. INSTALL FIRE EXTINGUISHER IN EACH BREEZEWAY ON EACH FLOOR DURING CONSTRUCTION UNTIL THE SPRINKLER SYSTEM IS ACTIVE.
4. SEMI-RECESSED FIRE EXTINGUISHER TO BE INSTALLED AT 48" F.F., MAXIMUM TRAVEL DISTANCE TO A FIRE EXTINGUISHER SHALL BE 75' OR LESS FROM ANY POINT IN THE BUILDING.
5. AUDIBLE EMERGENCY ALARMS SHALL PRODUCE A MINIMUM OF 80dB THROUGHOUT ENTIRE BUILDING AND SOUND SHALL EXCEED THE AMBIENT NOISE LEVEL BY 15dB WITH ALL DOORS CLOSED AND EQUIPMENT IN OPERATION.
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12. **INSTALL CONTROL JOINTS AT 30FT INTERVALS ON CORRIDOR WALLS AND CEILINGS AND WHERE CEILING FINISH OR FINISH CHANGES DIRECTION.**
13. **INSTALL CONTROL JOINTS AT 10FT INTERVALS ON CORRIDOR FLOORS.**

Monday, January 31, 2022 9:23 AM



SITE ACREAGE: 7.14 ACRES

OPELIKA, ALABAMA
BUILDING 1: 39 UNITS
BUILDING 2: 39 UNITS
BUILDING 3: 40 UNITS
BUILDING 4: 64 UNITS

TOTAL: 182 UNITS / 285 BEDS
244 PARKING SPACES

gla
**GEHEBER
LEWIS
ASSOCIATES**

1325 LOGAN CIRCLE NW, ATLANTA, GA 30318
T: 404.228.1958 F: 404.228.8350
WWW.GLAATL.COM

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SIERRA DEVELOPMENT


**ARGUS EYED
PARTNERS**

STAMP:

CLIENT:
**SIERRA DEVELOPMENT
GROUP, LLC**

401 CHERRY ST.
SUITE 600
MACON, GA 31201

PROJECT:
OPELIKA, ALABAMA

DRAWING TITLE:
SITE LAYOUT

DRAWN BY: MF CHECKED BY:
SCALE: AS NOTED DATE: 11/29/2021
PROJECT NUMBER: 2045
DRAWING NUMBER: **SK-1**

NOT RELEASED FOR CONSTRUCTION

SITE DATA

Site Notes:

- Proposed Development includes 4-4 story buildings with a total of 182 units. The buildings have interior corridors, and each building will have an elevator. The buildings will have a fire sprinkler system in accordance with NFPA Standards.
- Stormwater management for the development will be achieved using a combination of surface ponds, underground detention and bio-retention areas.
- There are no flowing streams, Waters of the U.S., 100 year Floodplains or Wetlands on the property.
- The existing storm drain that crosses the property draining from S. 10th Street will be rerouted along Avenue C and connected to a City Storm Sewer.

LEGEND (applies to all site plan sheets)		
DESCRIPTION	EXISTING	NEW
PROPERTY LINE	_____	_____
CONTOUR LINE	_____ 450 _____	_____ 450 _____
POWER POLE	_____ ⚡ _____	
LIGHT POLE	_____ ◇ _____	_____ ◆ _____
OVERHEAD POWER	_____ OHP _____	
HIGH VOLTAGE LINE	_____ HV/L _____	
UNDERGROUND ELECTRICAL	_____ E _____	
UNDERGROUND TELEPHONE	_____ T _____	
UNDERGROUND FIBER OPTIC	_____ FOC _____	
GAS LINE	_____ G _____	_____ G _____
WATER LINE	_____ W _____	_____ W _____
FIRE PROTECTION MAIN		_____ FM _____
DOMESTIC WATER		_____ DW _____
IRRIGATION MAIN		_____ IRR _____
FIRE HYDRANT	_____ ♂ _____	_____ ● _____
WATER VALVE	_____ ○ _____	_____ ► _____
SAN. SEWER W/ MANHOLE	_____ SAN — o _____	_____ — ■ _____
CLEANOUT	_____ □ _____	_____ ■ _____
DRAIN INLET	_____ □ _____	_____ ■ _____
CATCH BASIN	_____ ▽ _____	_____ ▽ _____
D.O.T. STD. 1033D	_____	_____
STORM DRAIN	_____	_____
SILT FENCE # TYPE		_____ 641-10 _____
SPOT ELEVATION	_____ + _____	_____ ◆ _____
CONCRETE PAVING		_____ [Patterned Box] _____
CONCRETE SIDEWALKS		_____ [Patterned Box] _____
PVC IRRIGATION SLEEVE		_____ [Patterned Box] _____
SOIL BOUNDARY LINE		_____ [Patterned Box] _____
SOIL TYPE		_____ (HyB) _____
FENCE	_____	_____
FENCE W/ 3 STRANDS OF BARBED WIRE		_____
NOT IN CONTRACT		
TREES TO BE REMOVED	_____ ☼ _____	_____ ☼ _____
		N.I.C.

GRAPHIC SCALE IN FEET



ALABAMA
LICENSED
PROFESSIONAL
SURVEYOR
No. 2007
EUGENE MOORE

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24 HOUR CONTACT:
MR. JIM DAWS
478-256-0332

CLIENT:
SIERRA DEVELOPMENT, INC.
MR. JIM DAWS
401 CHERRY STREET,
SUITE 600
MACON, GEORGIA
PHONE: 478-256-0332

OWNER INFORMATION:
THE TAYLOR

REVISIONS:

ALABAMA



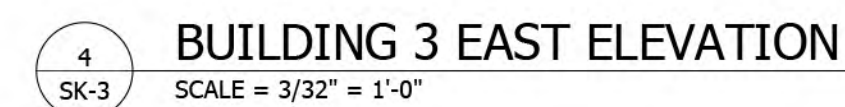
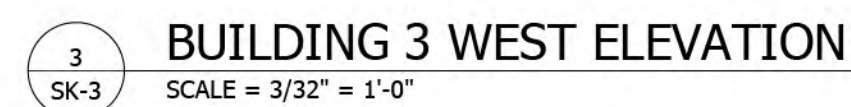
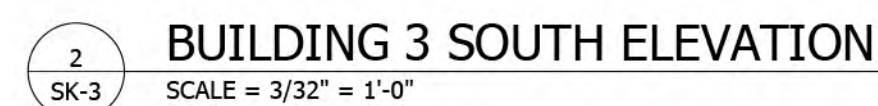
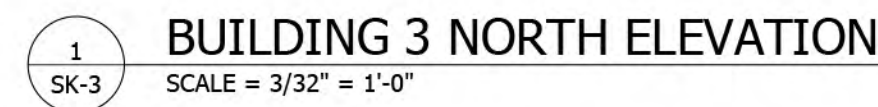
**Know what's below.
Call before you dig.**

THE TAYLOR
SOUTH 10TH STREET
OPELIKA, ALABAMA

SHEET TITLE:
SITE PLAN W/ ROAD
IMPROVEMENTS

SHEET NUMBER:
C1.2







BUILDING 1 NORTH ELEVATION
SCALE = 3/32" = 1'-0"



2 BUILDING 1 WEST ELEVATION
SK-1 SCALE = 3/32" = 1'-0"



3
SK-1

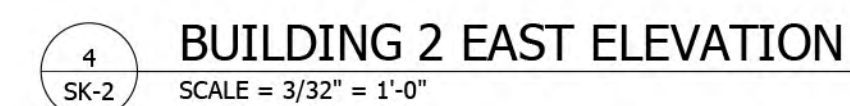
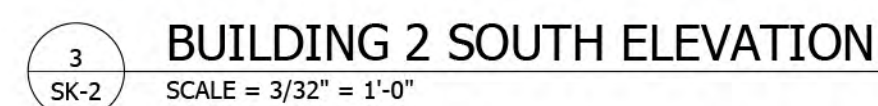
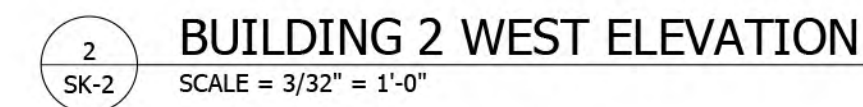
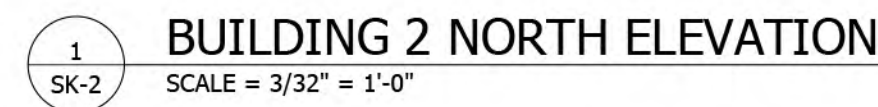
BUILDING 1 SOUTH ELEVATION
SCALE = 3/32" = 1'-0"

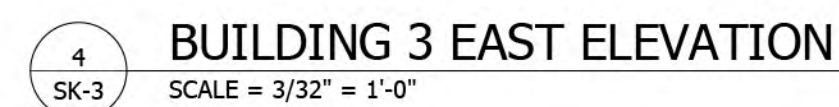
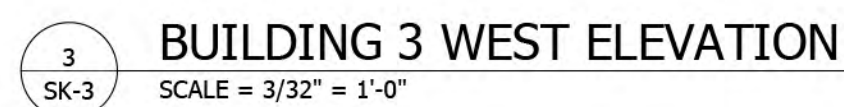
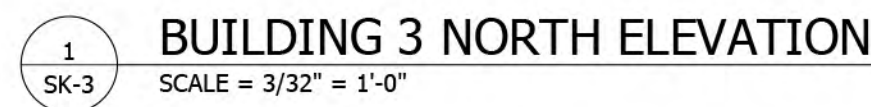


4 BUILDING 1 EAST ELEVATION
SK-1 SCALE = 3/32" = 1'-0"



5 BUILDING 1 PERSPECTIVE 1
SK-1 N.T.S.







RELEASE DATES:

STAMP:

CLIENT:

401 CHERRY ST.
SUITE 600
MACON, GA 31201

PROJECT:

OPELIKA, ALABAMA

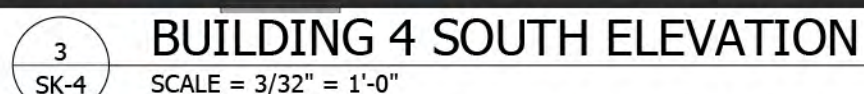
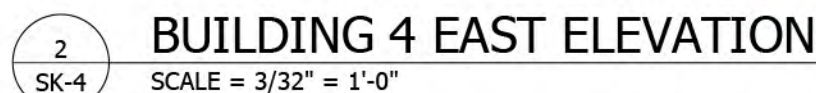
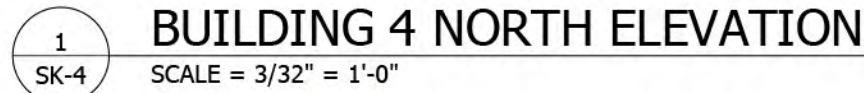
DRAWING TITLE:

ELEVATIONS

PROJECT NUMBER: 2045

DRAWING NUMBER:

NOT RELEASED FOR CONSTRUCTION









The Taylor



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

2734

PC DEADLINE: 02/01/2022 PC MEETING: 02/22/2022

PROJECT NAME: Pinehurst Apartments Addition
SITE ADDRESS: 375 West Point Parkway; Opelika, AL
PROPERTY OWNER: Brookhaven Property Group, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.

MAILING ADDRESS: 223 S 9th Street; Opelika, AL 36801

PHONE NUMBER: 334-745-7026 **FAX NUMBER:** _____

EMAIL ADDRESS: brice@barrett-simpson.com

PARCEL INFORMATION

Current Land Use: Multifamily Current Zoning: R-4

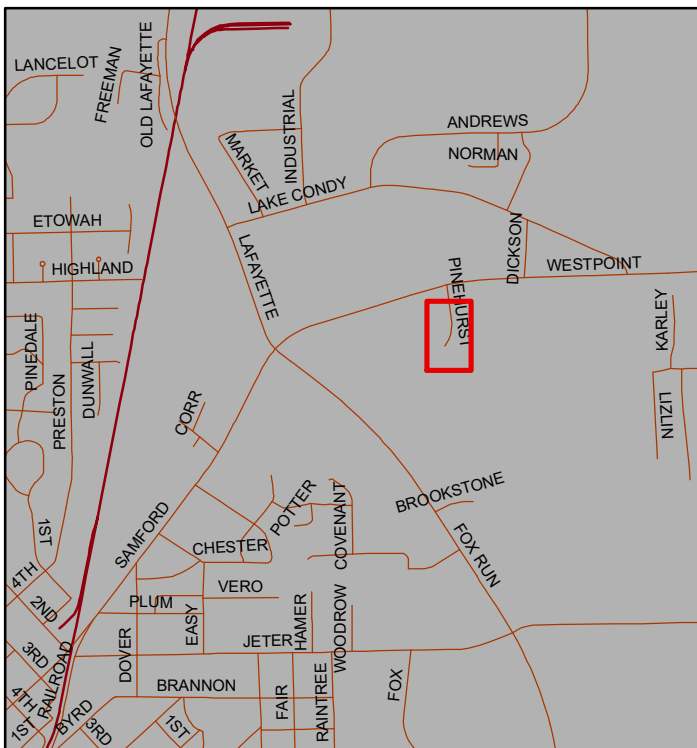
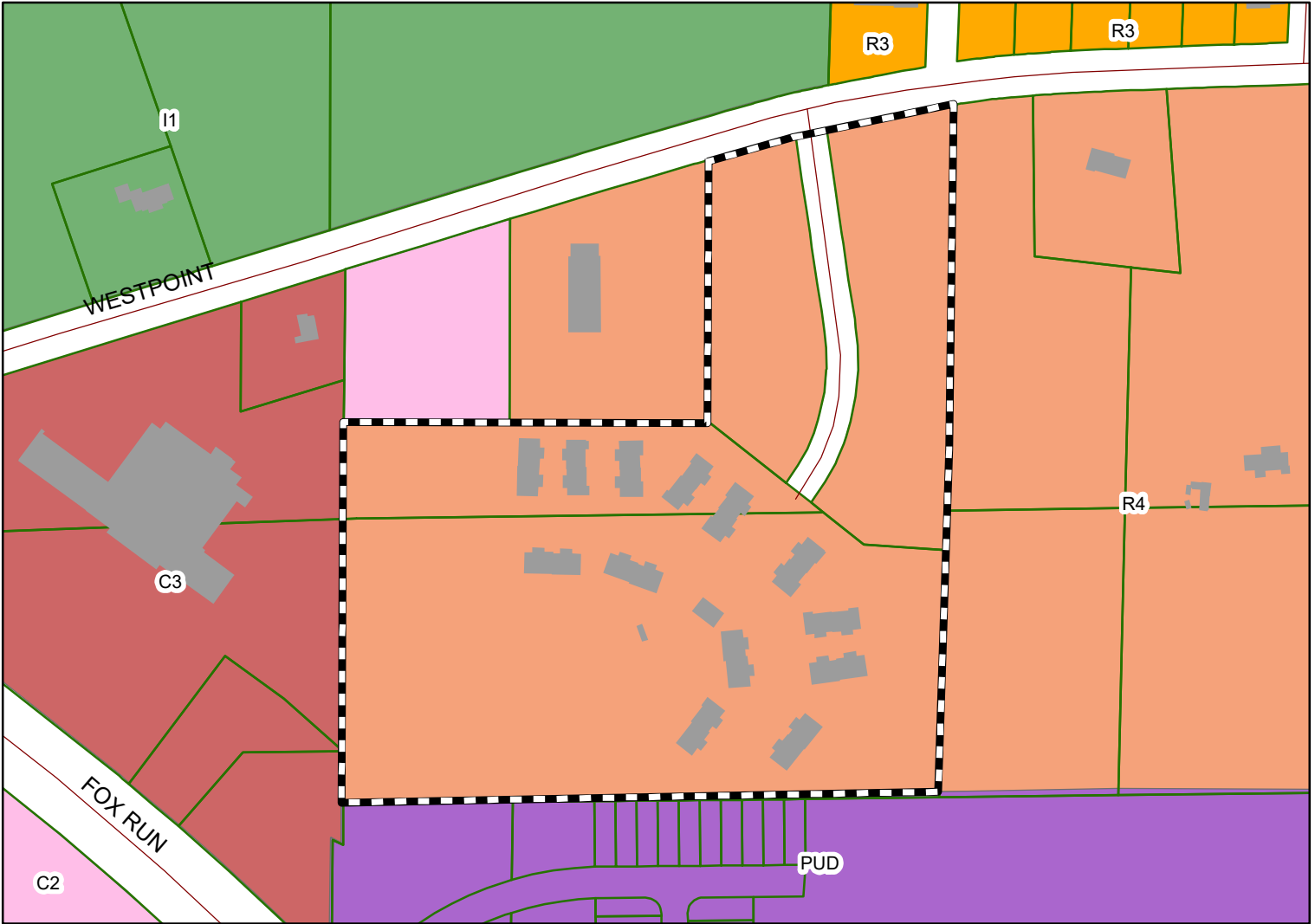
Description of Proposed Use: Site Improvements and Additional Multi-Family Buildings to be constructed

Adjacent Zoning Districts: North: R-4 South: PUD East: R-4 West: C-3

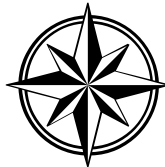
READ THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION 8.17 CONDITIONAL USES; E. General Use Standards.

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

PINEHURST APARTMENTS ADDITION WEST POINT PARKWAY CONDITIONAL USE APPROVAL, F-6



The applicant is requesting to add 36 apartment units to Pinehurst Apartments (104 units) constructed in 1995. The property is located in a R-4 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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Agenda Item #: F-6

Action Requested: Conditional Use – Multi-Family Residential, Pinehurst Apartments

Location of Property: 1500 Pinehurst Drive

Property Owner(s): Brookhaven Property Group, LLC, property owners
Blake Rice, authorized representative

Current Land Use: Multi-family residential

Current Zoning: R-4

**Surrounding Zoning Districts
And Land Uses:**

North	R-4, C-2	Vacant and Averitt Express
South	PUD	Residential
East	R-4	Residential
West	C-3, GC-P	Commercial – Betts Crossing

Proposal

The applicant is requesting conditional use approval to add additional apartment units to the current property. The current Pinehurst Villas development has 104 units. The development includes an existing office building, mail kiosk, and swimming pool. The applicant is proposing to add four (4) additional two-story buildings. This will increase the total development to 17 multi-family residential buildings with 16 one-bedroom units, 60 two-bedroom units, and 28 three-bedroom units existing and adding an additional 36 two-bedroom units. This will increase the number of units on the property to 140 total units. The overall density will be 8.26 units per acre. which is just below the allowable 9 units per acre for the R-4 zoning district. Many of the surrounding developments have much lower densities than are proposed for this lot. The Fox Run Village development to the south is larger in both unit count, but also in area. That site has a density of approximately 5.75 units per acre.

The site plan shows four new apartment buildings. The authorized representative stated these will be 36 two-bedroom units all 975 sq. ft. Two of the buildings are located on the western side of the property (adjacent to Betts Crossing). These buildings will be located on the edge of stream that traverses the property. The other two buildings are located on the very easternmost side of the property. These buildings abut a large single-family residential property. The new driveway to these properties also places Buildings 200 and 300 in an area surrounded by parking or drive aisles.

A sidewalk is provided in the front yard of each apartments building located near the parking lot. The minimum off-street parking requirements are met: 280 parking spaces required; 288 spaces provided. The elevation drawings presented show and note that building materials will be vinyl siding, brick column, and brick facing along the bottom edge to match the existing development. This site has an existing enclosed dumpster at the entrance. The current site has additional dumpsters that will need to have locations and enclosures approved. If additional dumpsters will be required for the additional units, the locations and enclosures must be approved by the Planning Department.

The landscape plan is not shown at this time. This site was developed in the 90's and has some mature landscaping in place. The applicant will provide a landscape plan for the entire development to meet the landscape requirements of our current ordinance for a multi-family development in the R-4 zoning district.¹ The entire site with existing and proposed developed area will be 497,155 sq. ft. (11.4 acres) of the 16.96 acres. This redevelopment will require 1,303 base points to be shown. The plan will need to provide 1015 base points. The site has 288 parking spaces, and 288 parking lot landscape points are required. A residential buffer² will be required along the perimeter of this property to reduce impacts from this development to the surrounding single family uses.

Conditional uses are those uses that have some specific impact when proposed for a location in a particular zoning district or a uniqueness that cannot be determined in advance of being proposed at a particular location. The subject property is located in a transitional area that extends from the commercial property at the intersection of Bulldog Parkway and West Point Parkway towards the more suburban residential areas to the east. The existing development has a density of 6.13 units per acre which is in line with Fox Run Village. The existing development also maintained significant spatial buffers from the adjacent properties that minimized impacts on adjacent residential properties. The proposed development increases the density to over 8 units per acre which approaches the maximum density allowed in this zone. While this density may be appropriate in other locations, this location has potential cause negative impacts on adjacent properties. This potential is exacerbated by the proposed layout and configuration of the properties. The properties on the east side are much closer to adjacent property. Additionally, the layout of the property is not ideal. The existing configuration of buildings faced some of the sides of buildings towards the parking lot, what one would consider the "front". While this is not usually preferred, it did provide some opportunities for courtyards between buildings and side yards that were open for use. The proposed buildings, because of their location, do not provide the same ability to have open areas. In fact, the new buildings to the eastern side, reduce some of these useable areas due to the addition of drive aisles and parking. Finally, the proposed elevations area intended to match the existing buildings. The existing buildings,

¹ SECTION 10.3 APPLICABILITY - All rules, regulations, conditions, and requirements set forth in this Section are applicable as follows:
A. Any new development or construction in a C 2, C 3, M 1, M 2, I 1, and PUD zoning district. Multi family developments (buildings composed of three (3) or more dwelling units) in any zoning district which require review by City of Opelika staff are also subject to these regulations.

² An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three full growing seasons planted on the inside of the fence or; A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier or; Natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the City Horticulturist shall determine whether the barrier is satisfactory through a site inspection prior to plan approval. Barriers shall be erected during construction to ensure the area is protected from damage due to construction.

as previously mentioned, are two story walk-up units that are primarily clad in vinyl siding with some brick accents. The existing buildings are dated in appearance. Staff would have preferred to see the addition of new multi-family building be designed to not create new units that look like they were constructed 25 years ago. At the very least, the newer units should utilize better materials, more current design features and best practices. This is a significant development adding an additional 35% units. We would typically recommend significant renovations to the existing development as part of the use approval as well. To our knowledge, there are not any proposed changes to the existing units.

In reviewing the proposed request, staff feels that the proposed increase of units would have both adverse effects on the subject property and to the character of the residential properties adjacent to the subject property. Due to the reasons referenced above, staff recommends denial of the conditional use for the proposed increase of multi-family residential units.

Staff recommends denial of the conditional use. Should the Planning Commission feel the conditional use is appropriate, staff recommends the following conditions:

1. Add a residential bufferyard to the adjacent vacant R-4 area and PUD areas to be shown on the final site plan prior to the land disturbance permit.
2. Materials shall meet the general cladding requirements of the Gateway Corridor Overlay for all new buildings. Staff would prefer the existing buildings be examined to see how they can be improved.
3. A full landscape plan shall be performed to ensure that adequate landscaping is present and additional landscaping is added where required by the zoning ordinance.
4. A sidewalk shall be added to the building in the southwest corner towards Buildings 300 and 400.
5. All dumpsters or trash collection areas shall be screened using materials that complement the buildings, to be approved by the Planning Department.
6. Buildings should not be oriented towards the rear of adjacent buildings where possible.
7. Buildings on the eastern side of the development are much closer to adjacent properties. These buildings should be examined to see if they can be moved further from adjacent single-family property.

Engineering Department Report

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

Roadway access improvements and lane additions on Society Hill Road may be required for this development. Either a traffic study shall be performed to determine what is required, or the applicant and City Engineering Department can determine what additions and improvements are needed for the existing roadway.

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Opelika Utilities Board Report

This use will be served by a master meter.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

1

LEGAL DESCRIPTION

LEGAL DESCRIPTION
STATE OF ALABAMA
LEE COUNTY

Lot shown as Parcel "A" of the Plat of Pinehurst Subdivision, First Revision, as recorded in Plat Book 17 at Page 163 as revised on Plat of Pinehurst Subdivision, First Revision as recorded in Plat Book 18 at Page 83, all in the Office of the Judge of Probate, Lee County, Alabama.

2

SURVEYOR CERTIFICATION

To (i) Pinehurst Villa BPG LLC, (ii) Berkadia Commercial Mortgage LLC and Fannie Mae, their successors and assigns, (iii) Brookhaven Property Group, Inc., a New Jersey limited liability company and (vi) Stewart Title Guaranty Company: This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b), 7(c), 8, 9, 11, 12, 13, 14, 15, and 19 of Table A thereof. The field work was completed on January 19, 2015 and updated on May 6, 2019.

Date of Plat or Map: May 8, 2019

Dated:

ALABAMA
REGISTERED
SURVEYOR
DARRELL HYATT

NO. 16673
PROFESSIONAL
LAND

W. Darrell Hyatt
Registration/License No. 16673

NOT A PART
NOW OR FORMERLY
SUMMITT ASSET MANAGEMENT
PROPERTY
DEED: 2212 @ PG: 366

3

SCHEDULE "B-2" ITEMS

ITEMS NO. 1, 4 THROUGH 9 (NOT SURVEY RELATED)

ITEM NO. 2 EASEMENT OR CLAIMS OF EASEMENT, NOT SHOWN ON THE PUBLIC RECORDS (NONE)

ITEM NO. 10 ALL MATTERS ON THAT CERTAIN PLAT OF PINEHURST SUBDIVISION FILED FOR RECORD IN PLAT BOOK 17 AT PAGE 163 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA.

ITEM NO. 11 ALL MATTERS ON THAT CERTAIN PLAT OF PINEHURST SUBDIVISION, FIRST REVISION AS RECORDED IN PLAT BOOK 18 AT PAGE 83 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (SHOWN ON SURVEY)

ITEM NO. 12 THE DECLARATION OF LAND USE RESTRICTIVE COVENANTS FOR LOW-INCOME HOUSING TAX CREDITS BETWEEN PINEHURST VILLAS, LTD. AND ALABAMA HOUSING FINANCE AUTHORITY, A PUBLIC CORPORATION AS RECORDED OCTOBER 11, 1995 IN BOOK 1985 AT PAGE 008 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (NONE)

ITEM NO. 13 GRANT OF EASEMENT TO MARCUS CABLE OF ALABAMA, LLC RECORDED MAY 2, 2007 IN BOOK 2313 AT PAGE 665 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (BLANKET EASEMENT)

ITEM NO. 14 GRANT OF LICENSE GRANTED TO MARCUS CABLE ASSOCIATES, L.L.C., RECORDED ON SEPTEMBER 22, 2011 IN BOOK 2385 AT PAGE 620 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (BLANKET EASEMENT)

ITEM NO. 15 GRANT OF EASEMENT FROM PINEHURST VILLAS, LTD. TO THE CITY OF OPELIKA AND TELEPHONE COMPANIES SERVING THE CITY OF OPELIKA AS SHOWN ON THE SUBDIVISION PLAT RECORDED IN PLAT BOOK 18 AT PAGE 83 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (THE PLAT)

ITEM NO. 16 ANY INTERESTS IN PINEHURST DRIVE SHOWN ON THE SUBDIVISION PLAT RECORDED IN PLAT BOOK 17 AT PAGE 163 IN THE OFFICE OF THE JUDGE OF PROBATE OF LEE COUNTY, ALABAMA. (THE PLAT)

ITEM NO. 17 THE COMPANY REVEALS THE RIGHT TO RAISE ANY SUCH ADDITIONAL EXCEPTIONS AND/OR REQUIREMENTS AS IT DEEMS NECESSARY UPON RECEIPT OF THE DETAILS OF THE TRANSITION AND ITS REVIEW OF THE CLOSING DOCUMENTS.

4

TITLE INFORMATION

STEWART TITLE GUARANTY COMPANY
DATED: FEBRUARY 22, 2019
FILE NO: 19-0141

5

ZONING

ZONING: R-4

MIN. FRONT YARD SETBACK = 25'
MIN. REAR YARD SETBACK = 20'
MIN. SIDE YARD SETBACK = 10'
MAX. BUILDING HEIGHT = 45 FEET
MAX. BUILDING AREA = 40%
MAX. HEIGHT OF SIGNS = 30 FEET
MIN. LOT SIZE (VS.) 10,000 = 7,500
DWELLING UNITS PER AREA = 9
PARKING REQUIRED = 2 SPACES PER UNIT (208 SPACES)

AVAILABLE PARKING:
178 STANDARD PARKING SPACES
12 HANDICAP PARKING SPACES
190 TOTAL PARKING SPACES

6

FLOOD MAP

"Said described property is located within an area having a Zone Designation "X", Flood Insurance Rate Map No. 01081C000065, with a date of identification of NOVEMBER 11, 2011, for Community Number 10145, in OPELIKA, LEE County, State of Alabama, which is the current Flood Insurance Rate Map for the community in which said property is situated.

7

BEARING REFERENCE

ROTATED TO MATCH SOUTH LINE OF A PART OF LOT FF SUBDIVISION OF LOT X OF CORRECTION MAP OF RESUBDIVISION OF LOT A OF THE TYSON PROPERTY ON CARTER HILL ROAD AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA IN PLAT BOOK 22 PAGE 295.

10

NORTH ARROW/SCALE

SCALE: 1" = 60'

GRAPHIC SCALE: 1" = 60'

8

LEGEND

- FIP - FOUND IRON PIN	9 CB - CABLE BOX	TP - TELEPHONE PEDISTAL
(SIP - SET IRON PIN	2 GI - GRATE INLET	WM - WATER METER
P CP - CALCULATED POINT	MH - SAN. SWR. MANHOLE	FH - FIRE HYDRANT
7 CM - CONCRETE MONUMENT	CO - CLEAN OUT	AC - AC PAD (4X6)
FP - FENCE POST	WV - WATER VALVE	PB - POWER BOX
X PP - POWER POLE	LP - LIGHT POLE	GM - GAS METER
P.O.B. - POINT OF BEGINNING	SGN - SIGN	PM - POWER METER
Eas't - EASEMENT	PROT - PROPAIN TANK	CI - CURB INLET
San. Swr. - SANITARY SEWER	HC - HANDICAPPED	GT - GREASE TRAP
- X - Fence Line	DP - DUMPSTER PAD	BOL - BOLLARD
- ESS - Sanitary Sewer Line		OHPL - Overhead Electric
- EWW - Water Line		SD - Storm Drain

11

NOTES

GENERAL NOTES:
NO Observed evidence of current earth moving work, building construction or building additions were found at time of survey

NO Observed evidence of site use as a solid waste dump, sump or sanitary landfill was found at time of survey.

NO Observed evidence of wetland areas were found at time of survey.

NO Observed above ground evidence of burial grounds, grave sites nor cemeteries were found at time of survey.

POC
NE CORNER OF SECTION 5,
T-19-N, R-27-E, LEE
COUNTY, ALABAMA

WEST
250.00'

940.00'
SOUTH

BUILDING TYPE "A"
2 STORIES
16,051.80± SQ. FT.
(GROUND FLOOR ONLY)

BUILDING TYPE "B"
2 STORIES
14,819.79± SQ. FT.
(GROUND FLOOR ONLY)

BUILDING TYPE "C"
2 STORIES
15,573.58± SQ. FT.
(GROUND FLOOR ONLY)

BUILDING DETAILS
NOT TO SCALE

KEY TO COUNTRY CLUB ESTATES ALTA SURVEY
1 LEGAL DESCRIPTION
2 SURVEYOR'S CERTIFICATION
3 SCHEDULE "B-2" ITEMS
4 TITLE INFORMATION
5 ZONING
6 FLOOD MAP
7 BEARING REFERENCE
8 LEGEND
9 VICINITY MAP
10 NORTH ARROW/SCALE
11 NOTES

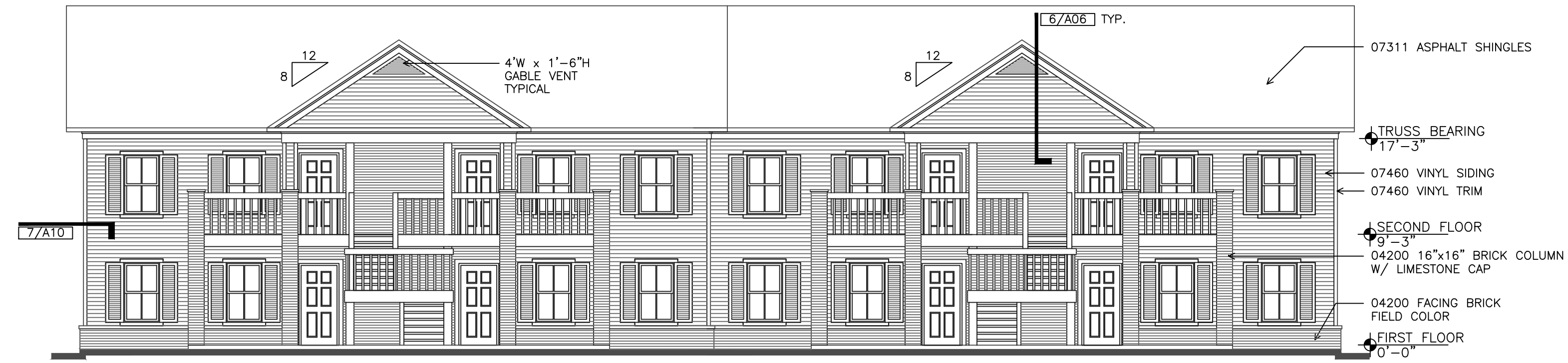
SCALE: 1" = 60'
DATED: 05/08/2013
DRAWN BY: BGW
CHECKED BY: WDH
REVISION: 05/21/2013
REVISION: 01/25/2015
REVISION: 03/08/2015
REVISION: 05/08/2019

ECE

ECE Surveying & Design, LLC
540 South Perry Street, Suite #5,
Montgomery, Alabama 36104
PH (334) 271-4092 & (334) 263-0450
EMAIL: wdh5775@att.net

SHEET TITLE:
ALTA/NSPS LAND TITLE SURVEY

PROJECT:
PINEHURST VILLAS
1500 PINEHURST DRIVE
OPELIKA, ALABAMA



1 FRONT ELEVATION BUILDING TYPE A1,B1 AND C1 (SHOWN), BUILDING TYPE A2,B2 AND C2 (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



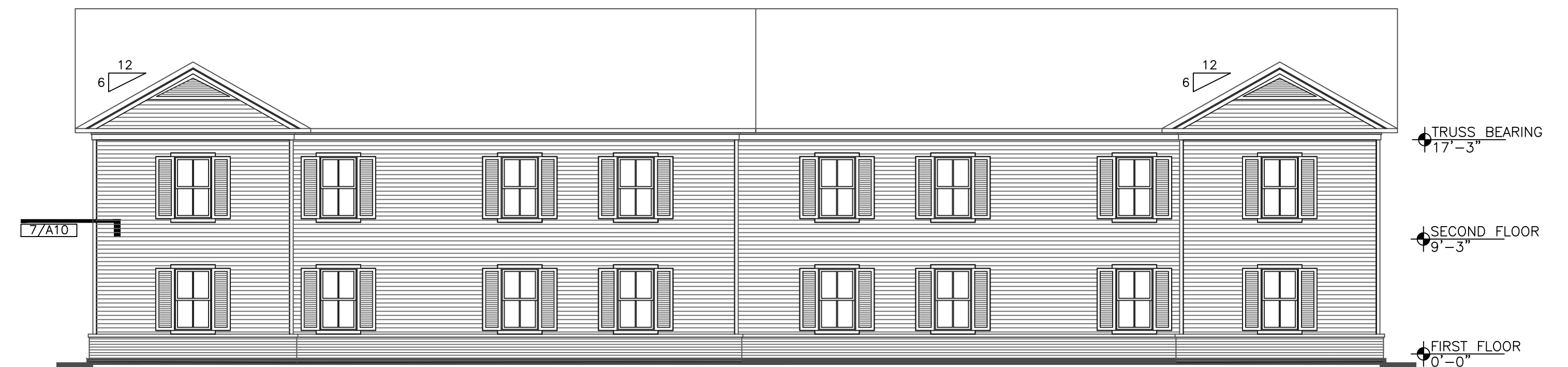
2 SIDE ELEVATION—BUILDING "A2" (SHOWN), TYPE "A1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



3 REAR ELEVATION BUILDING TYPE "A1" (SHOWN), TYPE "A2" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



4 SIDE ELEVATION—BUILDING "B2" (SHOWN), TYPE "B1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



5 REAR ELEVATION BUILDING TYPE "B2" (SHOWN), TYPE "B2" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



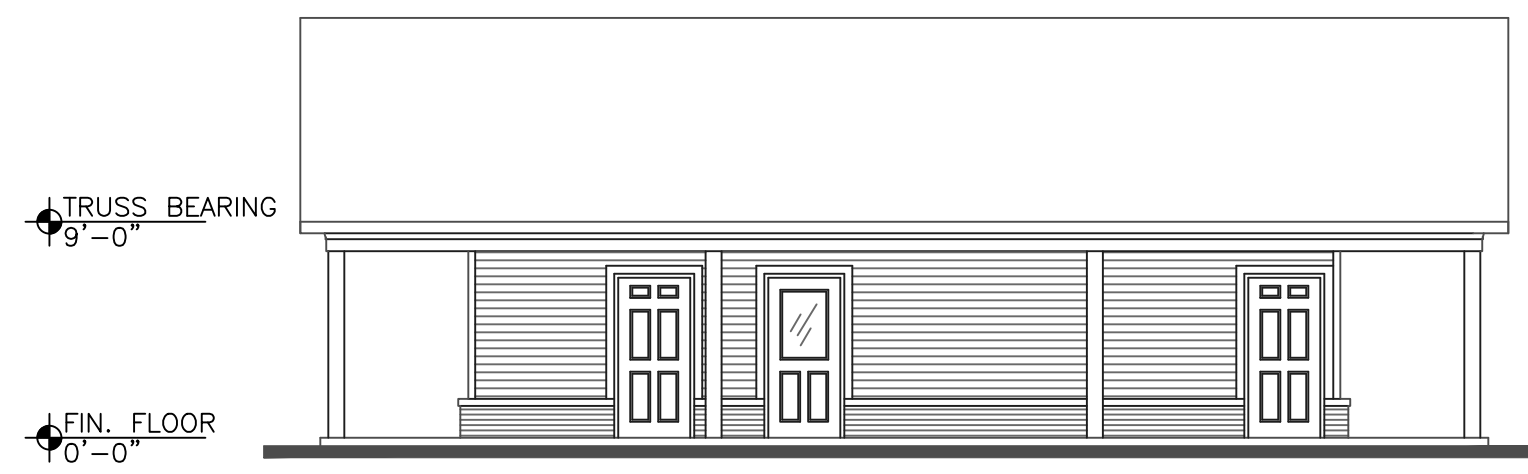
6 SIDE ELEVATION—BUILDING "C2" (SHOWN), TYPE "C1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



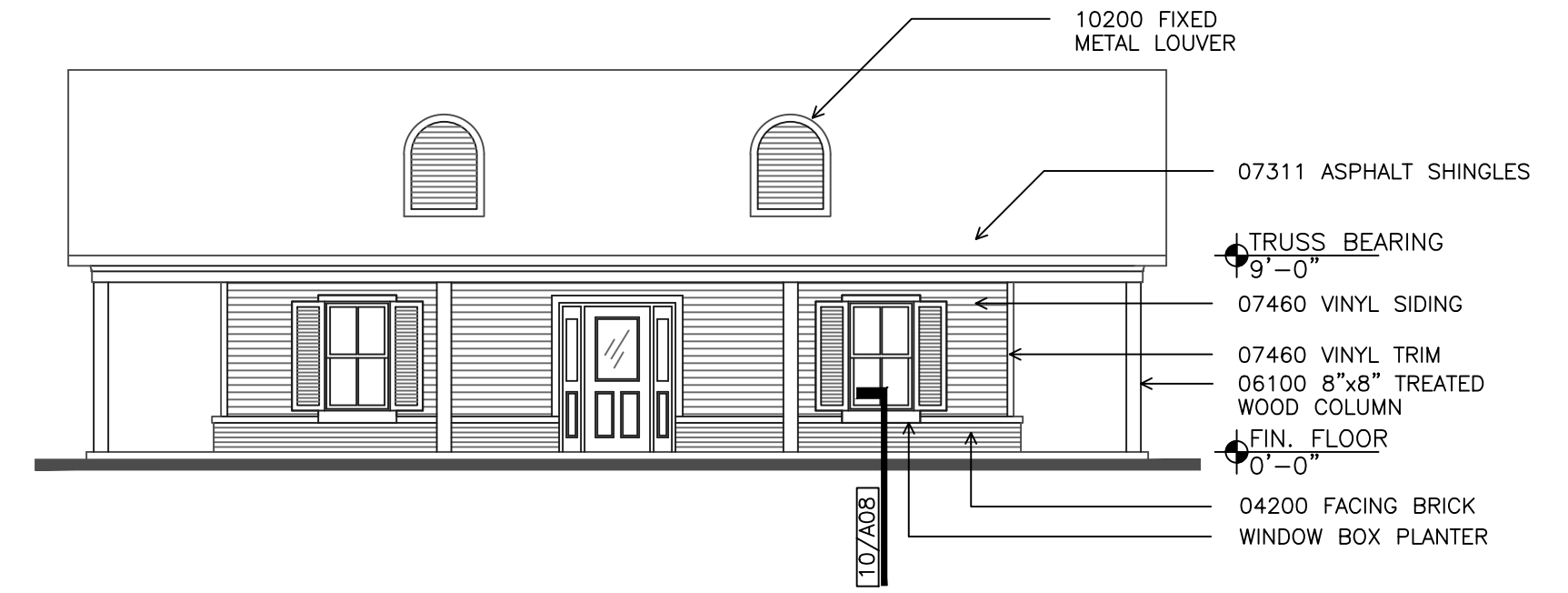
7 REAR ELEVATION BUILDING TYPE "C1" (SHOWN), TYPE "C2" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



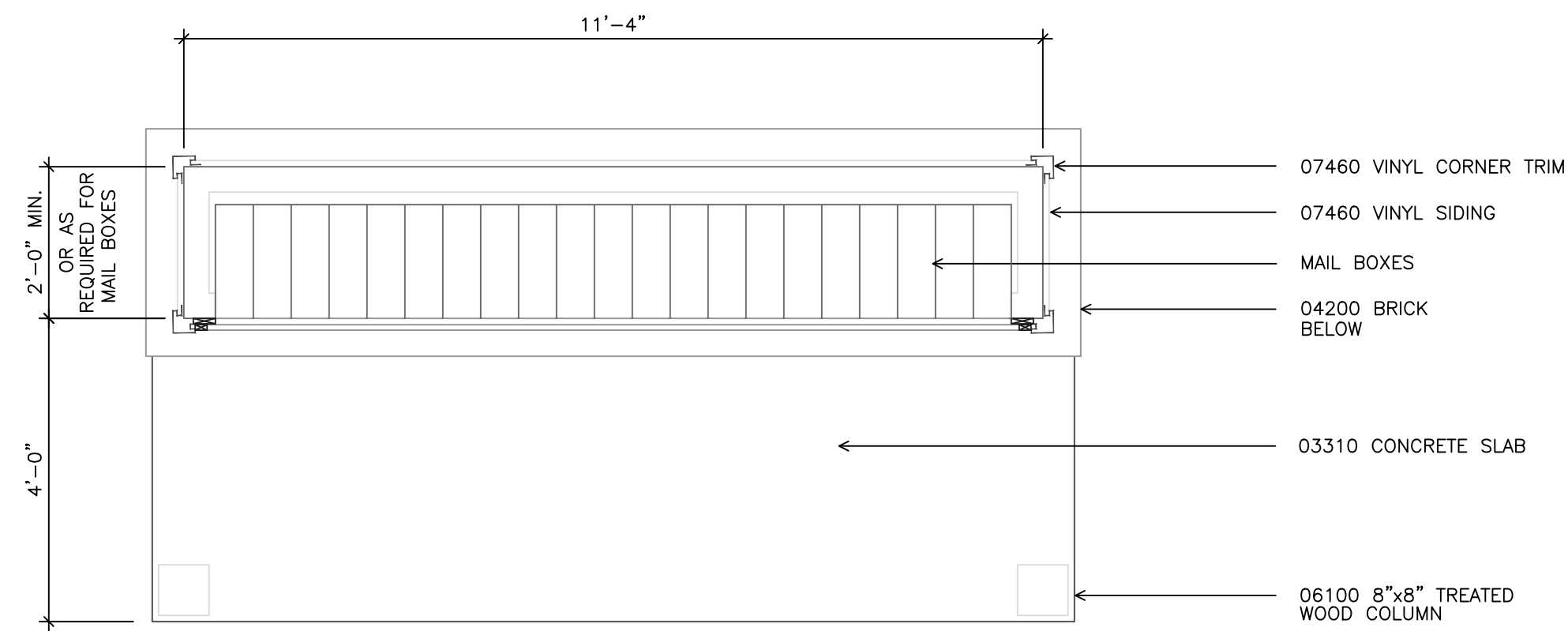
1 CLUBHOUSE SIDE ELEVATION
A08 1/8" = 1'-0"



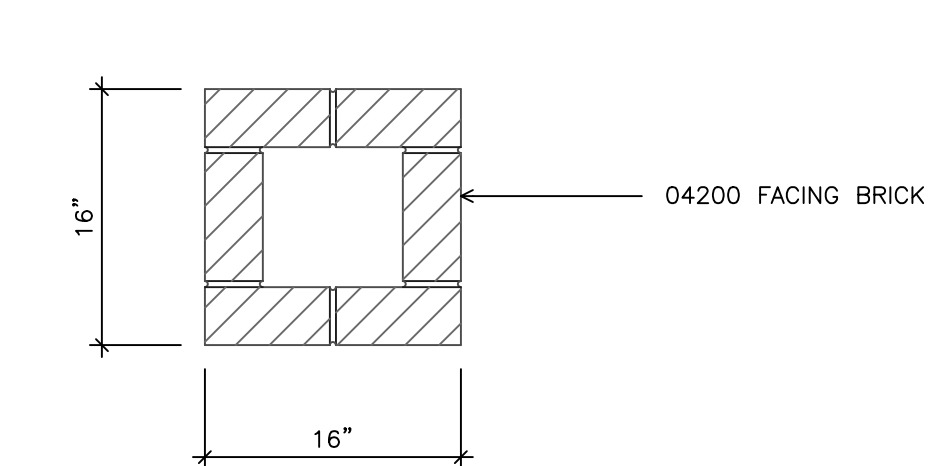
2 CLUBHOUSE REAR ELEVATION
A08 1/8" = 1'-0"



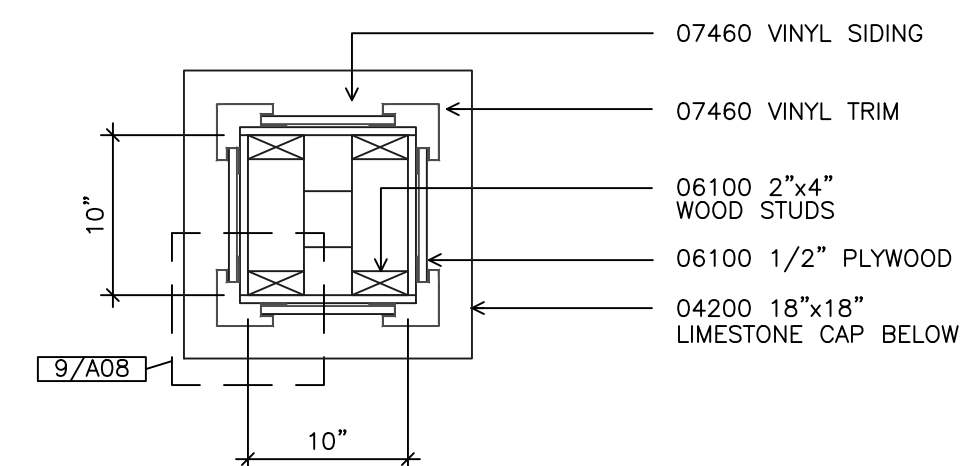
3 CLUBHOUSE FRONT ELEVATION
A08 1/8" = 1'-0"



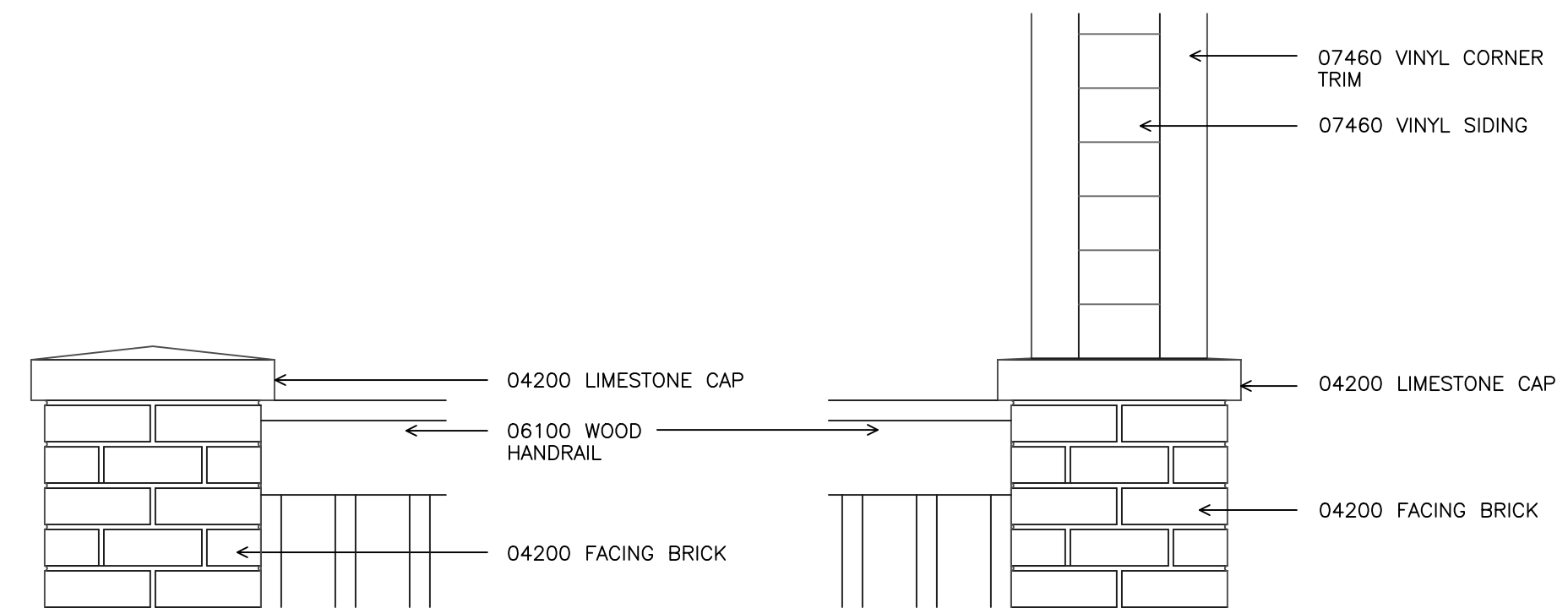
4 MAILBOX KIOSK
A08 1/2" = 1'-0"



5 BRICK COLUMN PLAN
A08 1" = 1'-0"

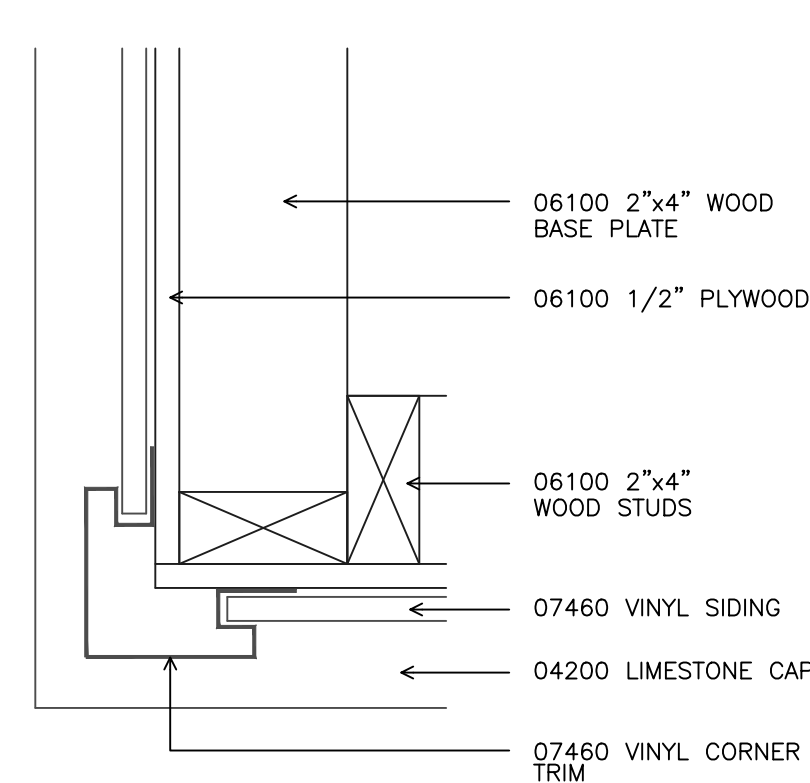


6 BRICK COLUMN PLAN
A08 1" = 1'-0"

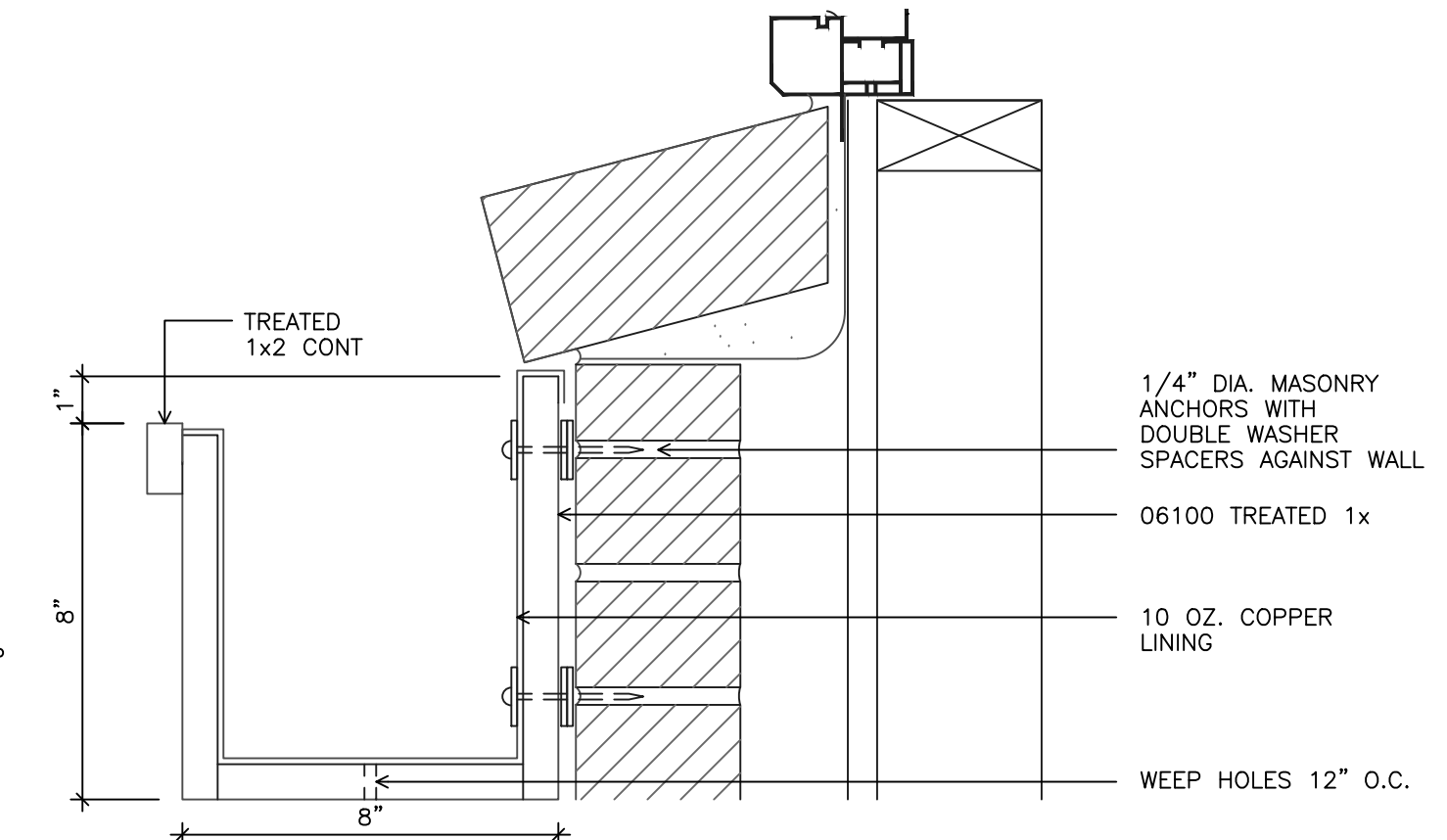


7 BRICK COLUMN ELEVATION
A08 1" = 1'-0"

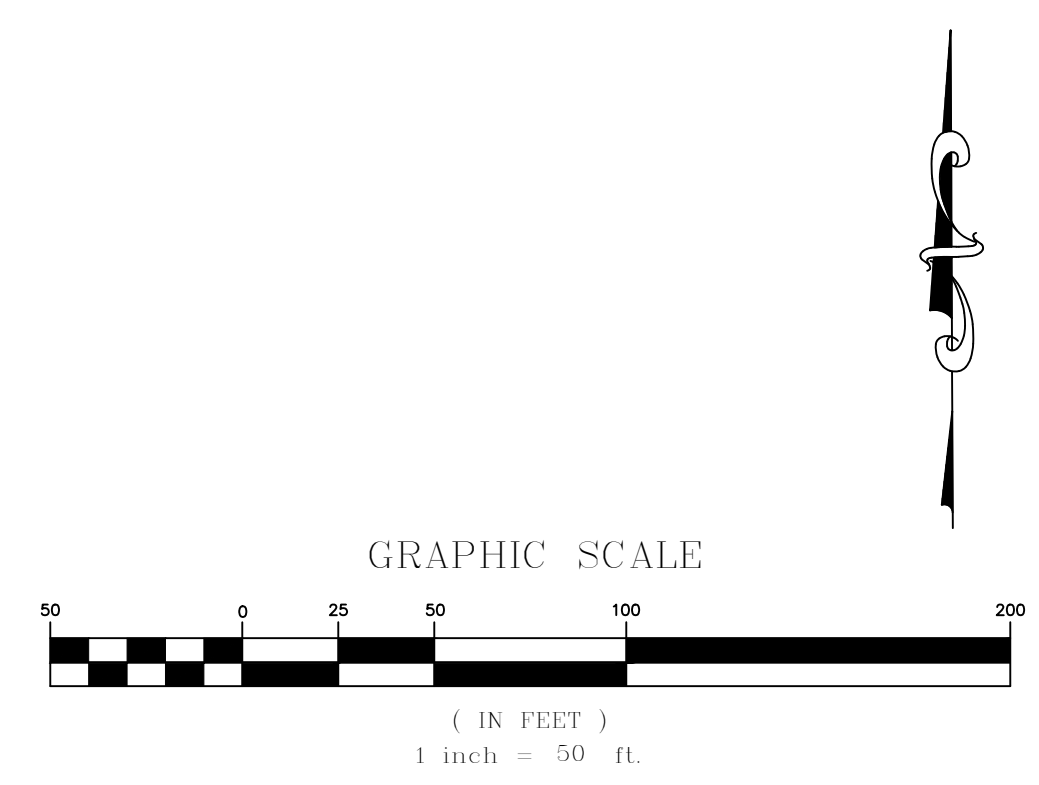
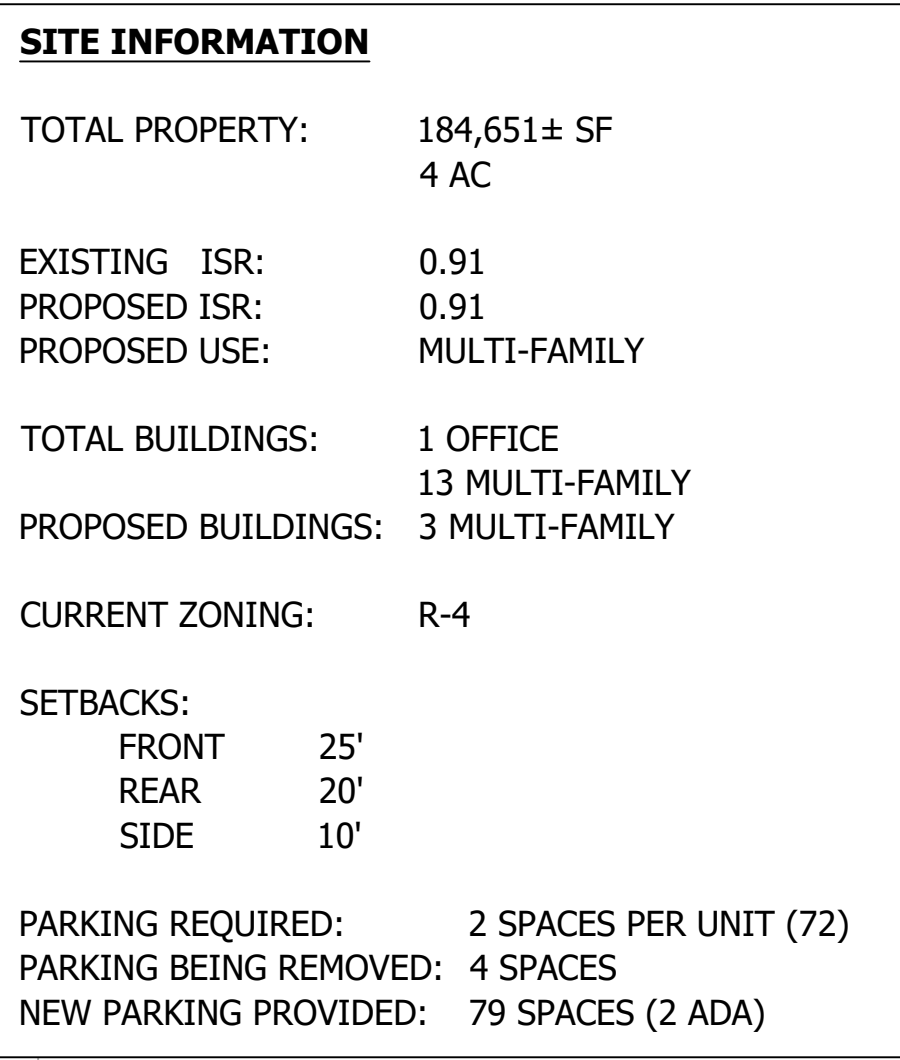
8 BRICK COLUMN ELEVATION
A08 1" = 1'-0"



9 WOOD COLUMN CORNER
A08 3" = 1'-0"



9 PLANTER
A10 3" = 1'-0"



BROOKHAVEN

PINEURST APARTMENTS
OPELIKA

PROPOSED SITE LAYOUT

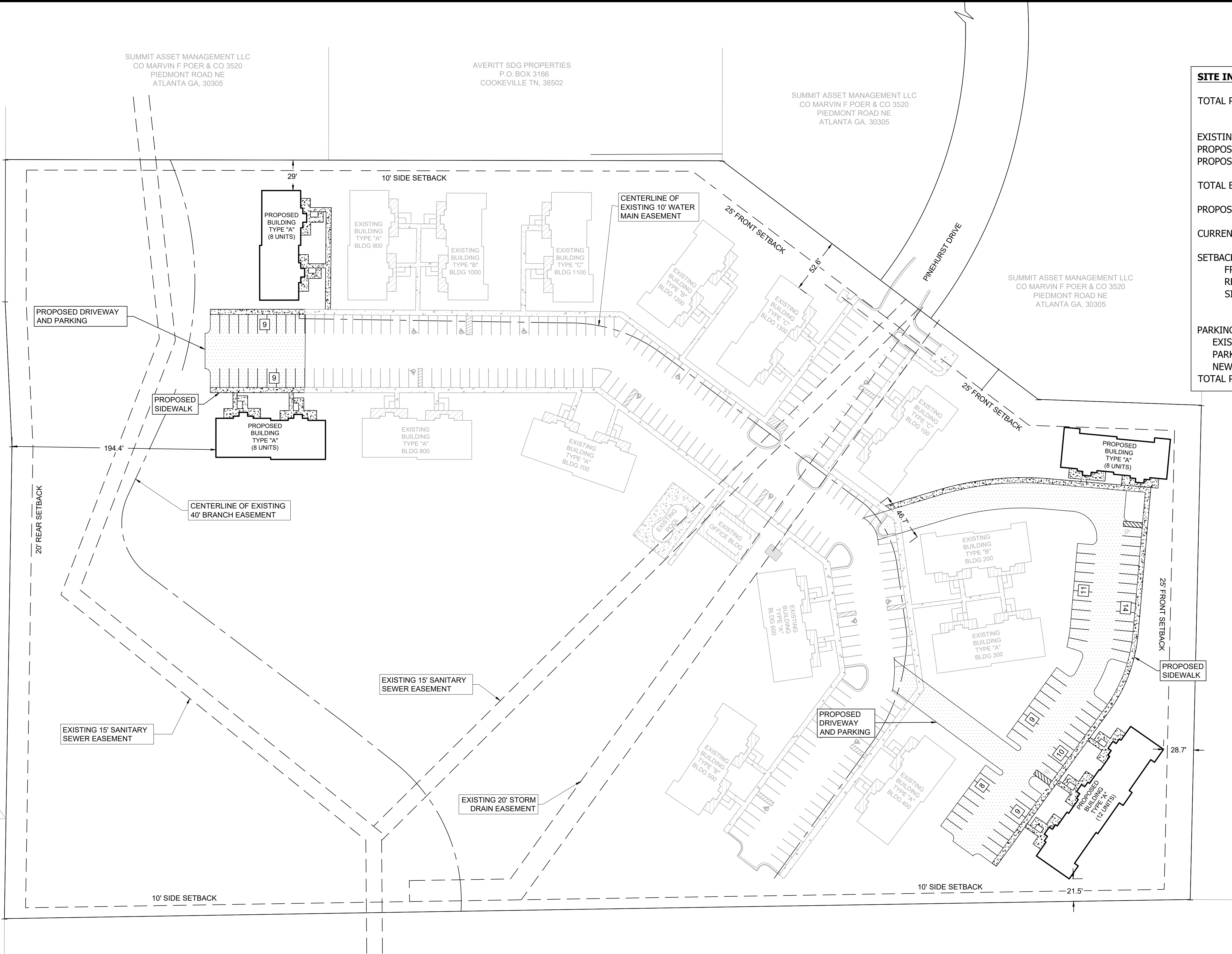
DRAWN BY: BSI
DESIGNED BY: BSI
REVIEWED BY: BSI
APPROVED BY: BSI

DATE 24 JANUARY 2022

PROJECT NUMBER 21-0206

SHEET NUMBER

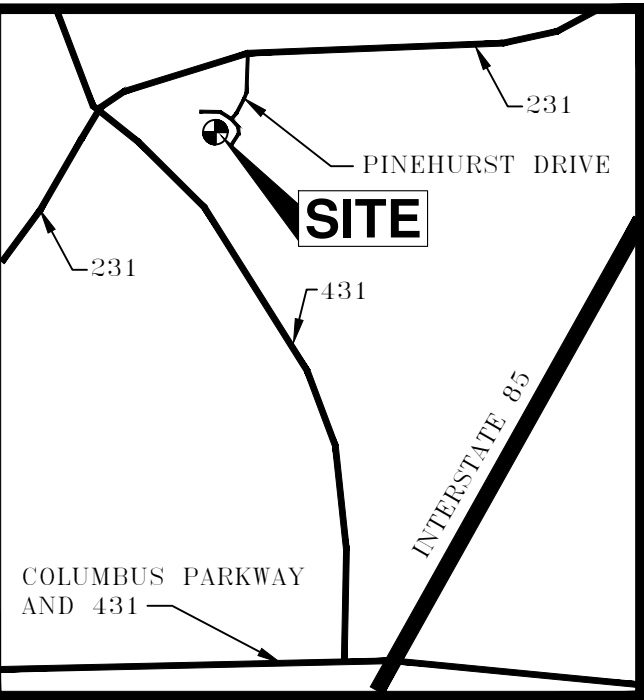
C1



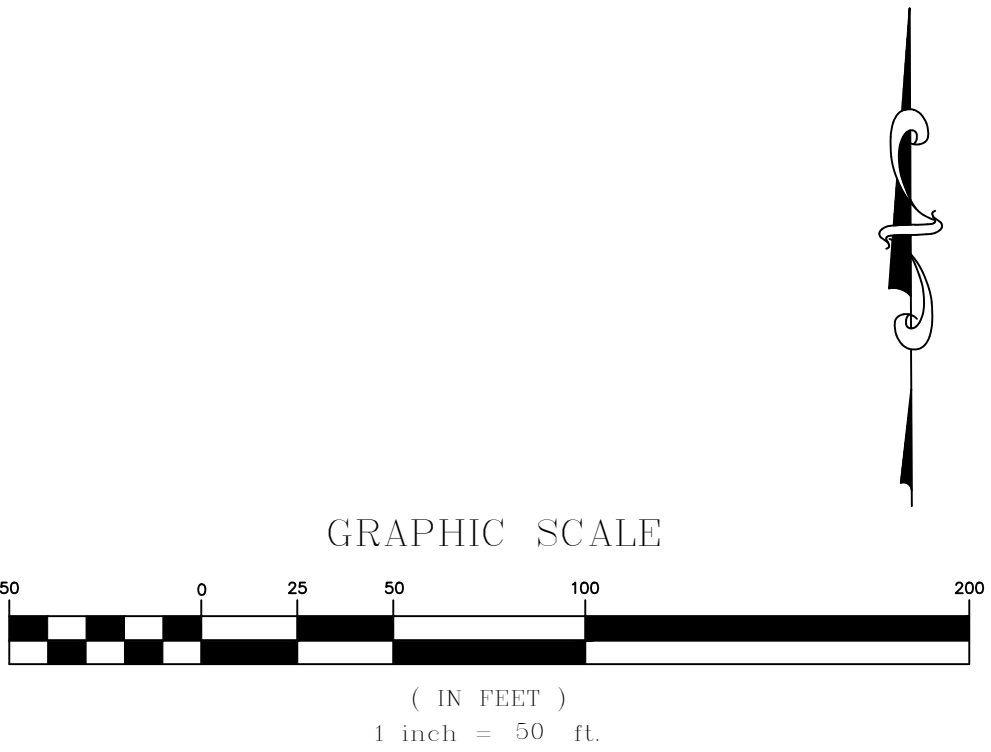
SITE INFORMATION

TOTAL PROPERTY:	738,444± SF 16.95± AC
EXISTING ISR:	0.21
PROPOSED ISR:	0.29
PROPOSED USE:	MULTI-FAMILY
TOTAL BUILDINGS:	1 OFFICE 13 MULTI-FAMILY 4 MULTI-FAMILY
PROPOSED BUILDINGS:	4 MULTI-FAMILY
CURRENT ZONING:	R-4
SETBACKS:	
FRONT	25'
REAR	20'
SIDE	10'
PARKING REQUIRED:	2 SPACES PER UNIT (280)
EXISTING PARKING:	213 SPACES (11 ADA)
PARKING BEING REMOVED:	4 SPACES
NEW PARKING PROVIDED:	79 SPACES (2 ADA)
TOTAL PROPOSED PARKING:	288 SPACES (13 ADA)

BENNETT THOMAS M & DEBRA T
807 WEST POINT PARKWAY
OPELIKA AL, 36801



VICINITY MAP
NOT TO SCALE



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



706 12th ST. PHENIX CITY, AL 36860 (PH : 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36801 (PH : 334-745-7026)
121 W. BROAD ST. EUFALA, AL 36022 (PH : 334-487-4257)

BROOKHAVEN

PINEURST APARTMENTS
OPELIKA

02.10.2022
UPDATED SITE DATA

© 2022 BARRETT-SIMPSON, INC.
These drawings are protected
under The Copyright Act of 1976
and may not be reproduced in
any form without the expressed
written permission of Barrett-
Simpson, Inc.

PROPOSED
SITE LAYOUT

DRAWN BY: BSI
DESIGNED BY: BSI
REVIEWED BY: BSI
APPROVED BY: BSI

DATE: 24 JANUARY 2022

PROJECT NUMBER: 21-0206

SHEET NUMBER

C1

2741

AGENDA ITEM # _____

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 2/1/22 PC MEETING: _____

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Capps Family Partners, LTD/Blake Rice, Barrett-Simpson, Inc.MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801PHONE NUMBER: 334-745-7026 Email: brice@barrett-simpson.com**PARCEL INFORMATION**Site Address: Society Hill Rd., north of Gateway Dr.Description of proposed use: TownhomesTax Parcel Number: 43-09-06-24-0-000-012.001 & 43-09-06-24-0-000-012.003Adjacent Zoning Districts: North: C-2/R-1 South: C-2/R-1 East: PUD West: PUDCurrent Land Use: VacantCurrent Zoning: C-2/R-1Proposed Zoning: C-2Number of APO: 5 x \$7.00 = \$35.00
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = \$160.00PAID: ck# 25028
2022-02-01

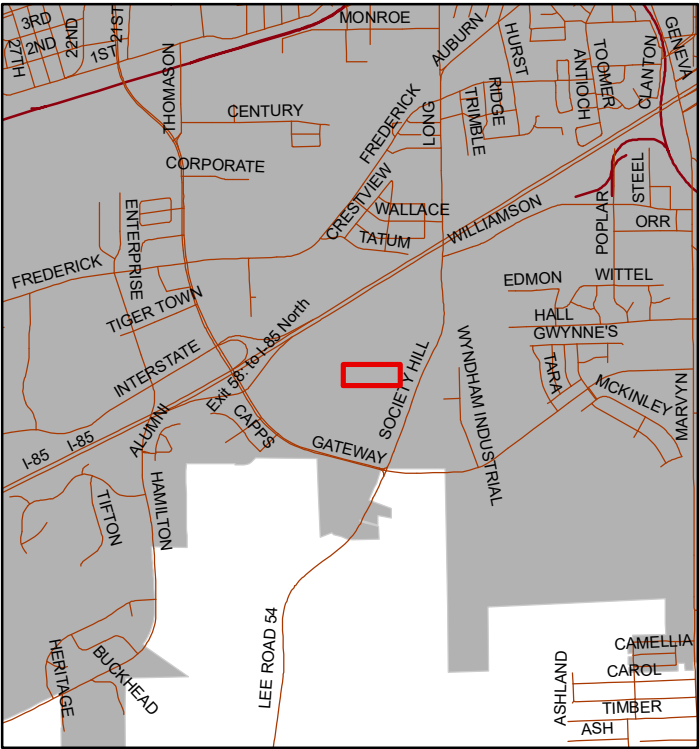
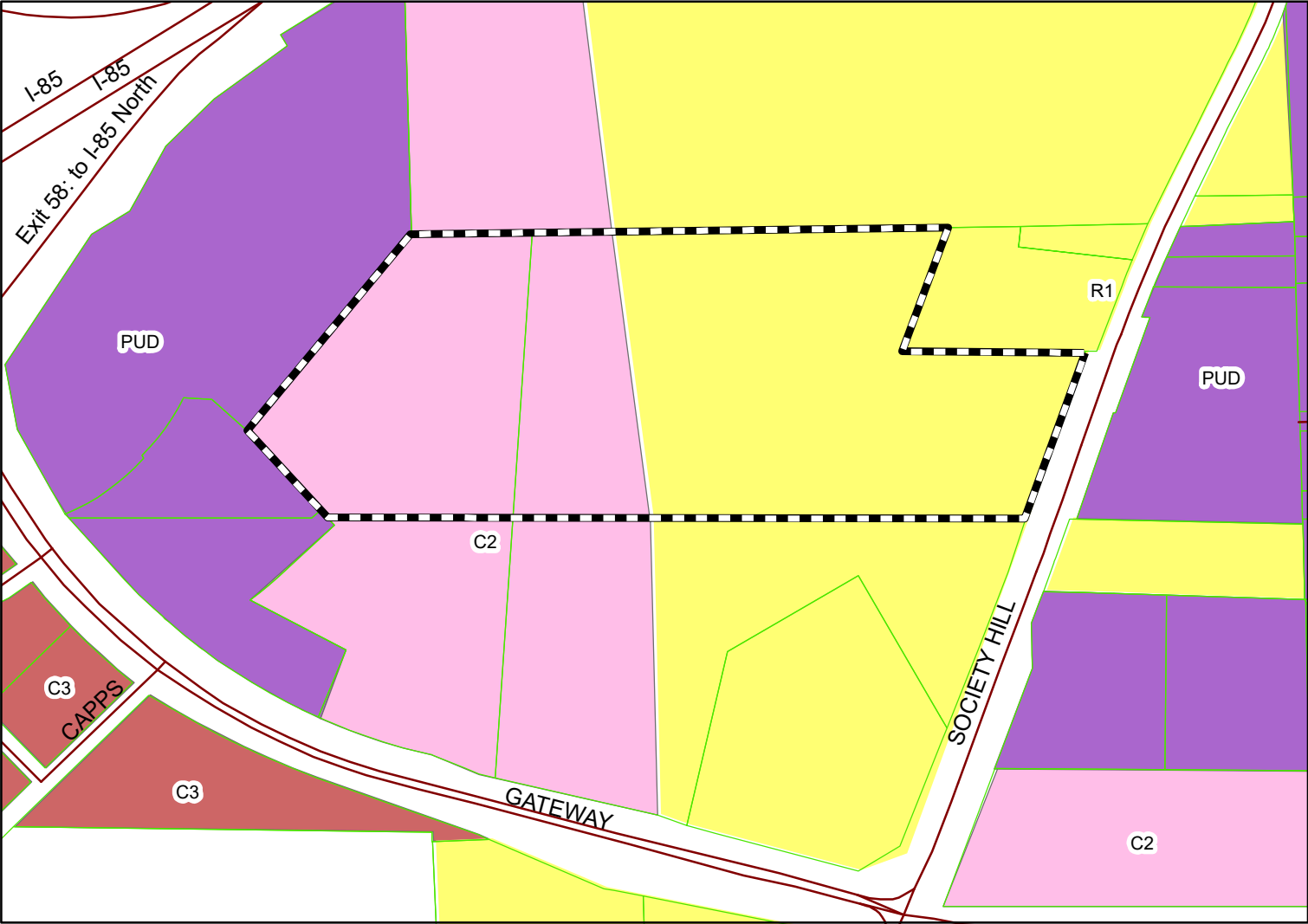
I hereby request my property located at (street address) Society Hill Rd.,
Tax Map parcel number 43-09-06-24-0-0000-012.001 & 43-09-06-24-0-000-012.003 be rezoned from
_____ to _____. A copy of the tax area map, a survey of the property, a copy of the deed
for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE: Blake Rice(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

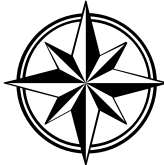
DATE

2/1/22

THE COTTAGES AT SOCIETY HILL - TOWNHOMES
SOCIETY HILL ROAD
REZONING AND CONDITIONAL USE, G-7, 8



The applicant is requesting to rezone 40 acres to C-2 and conditional use approval for 242 townhomes units.



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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Agenda Item #: F-7

Action Requested: Amendment to the Future Land Use Map and Rezoning: 40 acres
(a) Amendment to Future Land Use map - from low density residential to light commercial
(b) Rezoning - from R-1 to C-2

Location of Property: 2800 block Society Hill Road

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

Current Zoning: I-1, M-2, & R-3

Proposed Zoning: C-2 (office-retail)

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	R-1	Undeveloped
South	R-1	Undeveloped
East	PUD	Opelika-Auburn News (Wyndham PUD)
West	PUD	Undeveloped

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) shows 22 acres of a 40 acre property in a low density residential land use category. (The remaining 18 acres is in a light commercial category.) The adjacent properties on the north and south sides are also in a low density land use category; these adjacent lots are primarily undeveloped except for one single family home on 4.6 acres. The adjacent properties on the east and west side are in a mixed use land use category; the east side is the Opelika-Auburn News office building in the Wyndham Gate PUD; the west side property is part of a rezoning approved about two years ago to PUD for a commercial development.

Staff Recommendation

The rezoning request to a C-2 zone requires an amendment to the 2030 FLUM concerning 'land use category.' The applicant's plan is to construct 242 townhomes. If the rezoning request is approved, staff recommends the 2030 Future Land Use map be amended for the 40 acre rezoning

property from a “low density residential” land use category to a “light commercial” land use category.

Rezoning

The applicant is requesting to rezone 40 acres from R-1 to C-2. A total of 242 townhome rental units are proposed for the rezoning property. An 18 acre portion of the townhome property is currently zoned C-2. The rezoning property is adjacent to a R-1 (low density residential) zone on the north and south sides; the R-1 adjacent properties are undeveloped except for a single family home on 4.6 acres on the north side. On the adjacent east and west side is PUD (commercial) zoned properties. On the east side across Society Hill Road, the adjacent PUD property is the Opelika-Auburn News office property on 8.6 acres. The west side PUD is accessed from Gateway Drive adjacent to Exit 58 on I-85; the commercial PUD was approved in 2020 and phase one construction has begun: a QT gas station with convenience store & limited truck stop. In phase 2, restaurants are planned for lots adjacent to QT. The adjacent PUD property next to the townhome development is labeled ‘entertainment’.

Recommendation

Staff believes the rezoning to C-2 for townhomes would not have a significant negative impact on the surrounding area. The townhome density at 6 dwellings per acre is much lower than the maximum 16 dwelling units allowed in a C-2. (The low density is due to topography challenges and two ponds (2.5 acres) on the property.) An 18 acre portion of the 40 acre rezoning property is currently zoned C-2. The 40 acre townhome development is primarily adjacent to undeveloped land on all sides except a single family home on 4.6 acres, and the Opelika-Auburn News office across Society Hill Road. The townhomes will be compatible with the O-A News office and a mini-warehouse & U-Haul truck rental business about 300 feet south of the townhome property. The development is conveniently located about one mile from Exit 58 on I-85 near Tiger Town; Exit 58 provides a broad range of retail stores, grocery stores, and entertainment uses to serve residential demands. **Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from R-1 to C-2.**

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposal and recommends a positive recommendation for rezoning to City Council.

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

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

NOTES

- North Reference:
-Broad Metro, LLC Plat No. 1, Plat Book 42, Page 41 & 42, Probate Office, Lee County, Alabama.
- Basis for Exhibit:
-Deed Book 2069, Page 335, Probate Office, Lee County, Alabama.
- Other Sources for Exhibit:
-Broad Metro, LLC Plat No. 1, Plat Book 42, Page 41 & 42, Probate Office, Lee County, Alabama.
-Elaine Subdivision, Plat Book 10, Page 221, Probate Office, Lee County, Alabama.
-Helen Mitchell Subdivision, Plat Book 18, Page 160, Probate Office, Lee County, Alabama.
- The purpose of this exhibit is to show the areas to be Zoned C2 (40 Acres)
- 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 Barrett-Simpson, Inc.

ZONING EXHIBIT OF
THE COTTAGES AT SOCIETY HILL
BEING A PART OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA



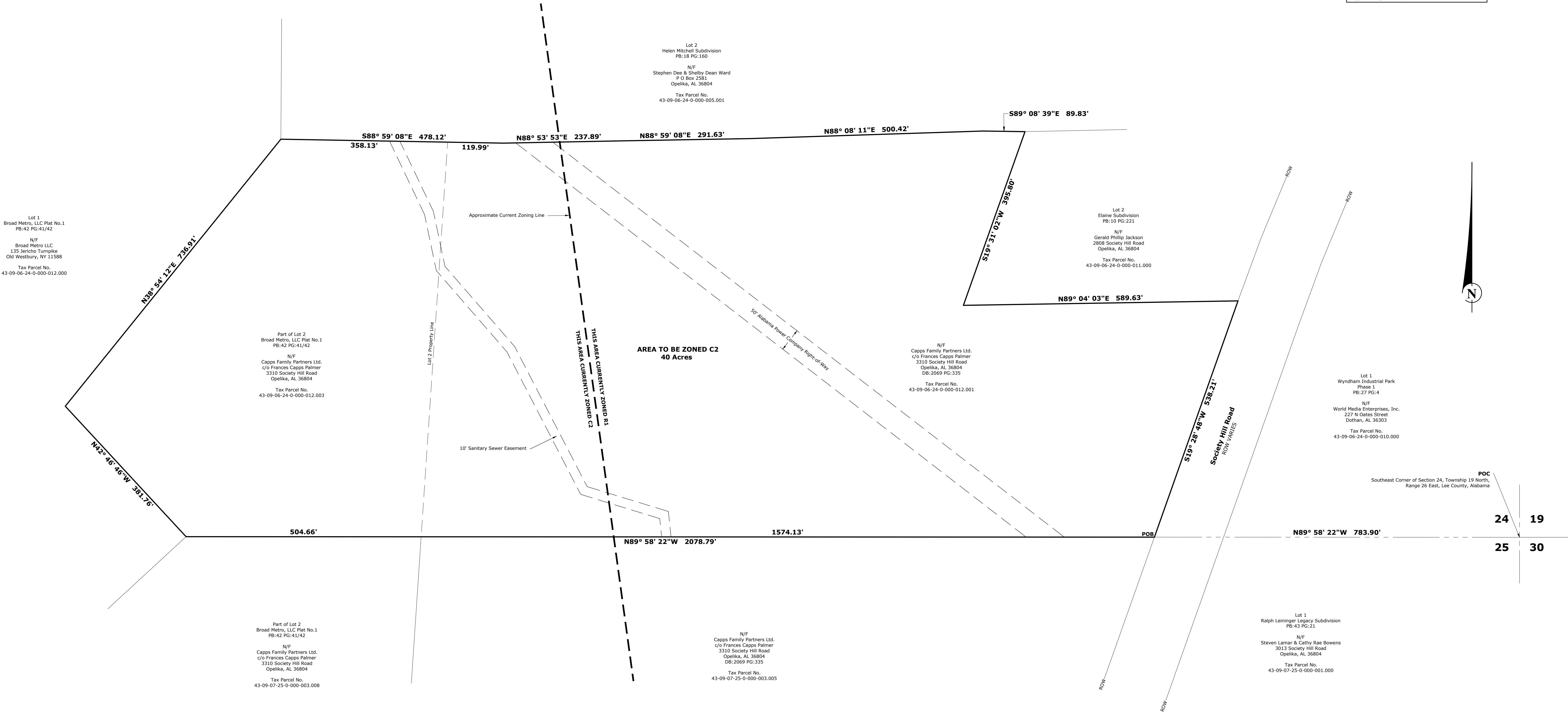
I, Jeffrey S. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Jeffrey S. Ham, PLS
Alabama License No. 21775

Date

1/31/2022

THIS IS NOT A PROPERTY BOUNDARY SURVEY.
This drawing is for information purposes only. The purpose of this exhibit is to show areas owned by Capps Family Partners, LLC to be rezoned.



PROPERTY DESCRIPTION

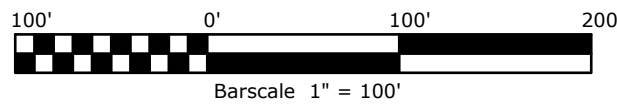
A tract or parcel of land located in Section 24, Township 19 North, Range 26 East, Lee County, Alabama and being more particularly described as follows: Commence at the southeast corner of said Section 24; thence N89°58'22\"W 783.90 feet to the west right-of-way limit of Society Hill Road, the point of beginning; thence leaving said right-of-way limit N89°58'22\"W 2078.79 feet to the east line of Lot 1 of Broad Metro, LLC Plat No. 1 as recorded in Plat Book 42, Page 41 and 42, Probate Office, Lee County, Alabama, thence N42°46'46\"W 381.76 feet along the east line of said Lot 1; thence N38°54'12\"E 736.91 feet along the east line of said Lot 1 to the southwest corner of Lot 2 of Helen Mitchell Subdivision as recorded in Plat Book 18, Page 160, Probate Office, Lee County, Alabama; thence along the south line of said Lot 2 the following bearings and distances:

S88°59'08\"E 478.12 feet;
N88°53'53\"E 237.89 feet;
N88°59'08\"E 291.63 feet;
N88°08'11\"E 500.42 feet;
S89°08'39\"E 89.83 feet;

to the northwest corner of Lot 2 of Elaine Subdivision as recorded in Plat Book 10, Page 221, Probate Office, Lee County, Alabama; thence S19°31'02\"W 395.80 feet to the southwest corner of Lot 2 of said Elaine Subdivision; thence N89°04'03\"E 589.63 feet along the south line of said Lot 2 to the west right-of-way limit of Society Hill Road; thence S19°28'48\"W 538.21 feet along said right-of-way limit to the point of beginning.

LEGEND

DB: Deed Book
PB: Plat Book
PG: Page
ROW Right - of - Way
N/F Now or Formerly





2740

AGENDA ITEM # _____

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

PC DEADLINE: 2/1/22 PC MEETING: _____

PROJECT NAME: The Cottages at Society Hill
SITE ADDRESS: Society Hill Rd., north of Gateway Drive
PROPERTY OWNER: Capps Family Partners, LTD

APPLICANT/ AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.
MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801
PHONE NUMBER: 334-745-7026 **FAX NUMBER:** 334-745-4367
EMAIL ADDRESS: brice@barrett-simpson.com

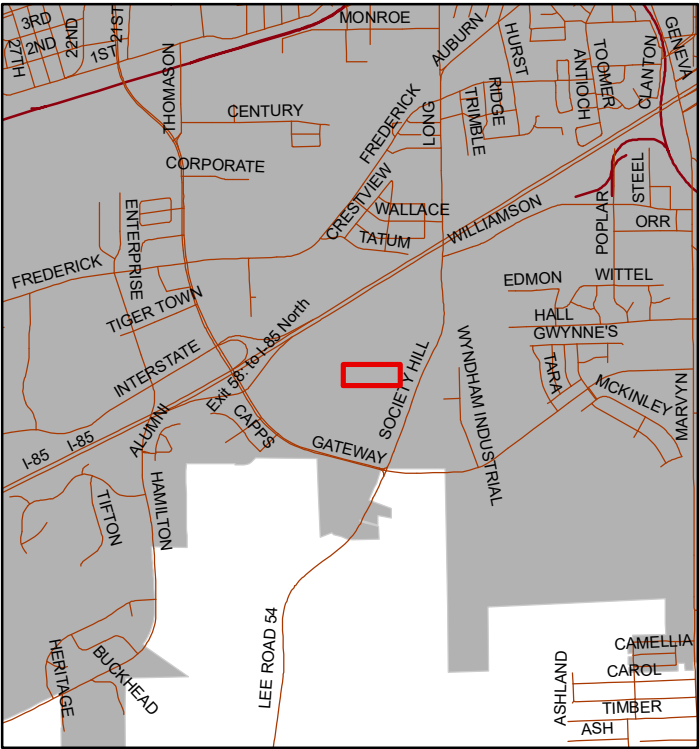
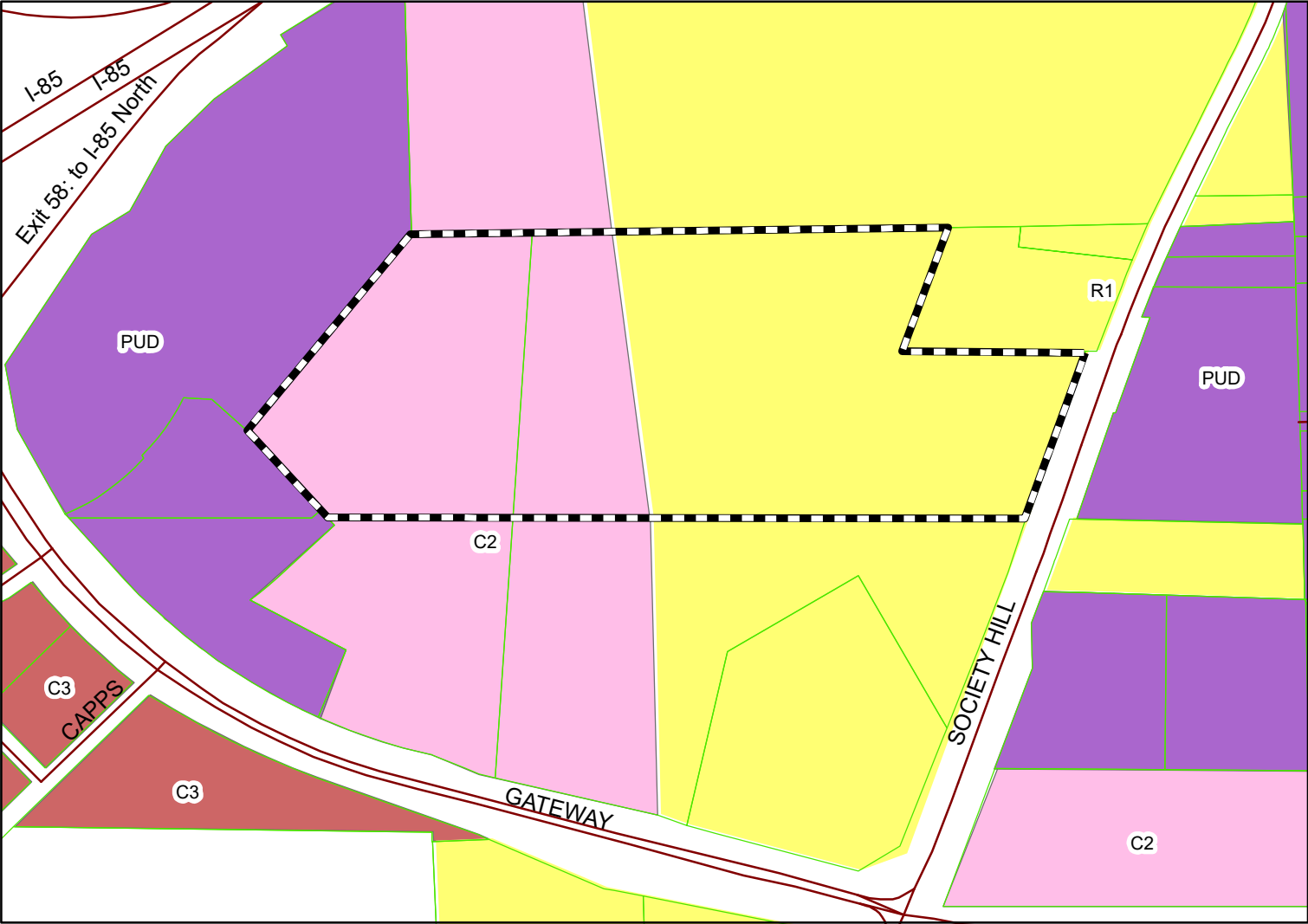
PARCEL INFORMATION

Current Land Use: Vacant **Current Zoning:** R-1/C-2
Description of Proposed Use: Townhomes
Adjacent Zoning Districts: North: C-2/R-1 South: C-2/R-1 East: PUD West: PUD

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

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

THE COTTAGES AT SOCIETY HILL - TOWNHOMES
SOCIETY HILL ROAD
REZONING AND CONDITIONAL USE, G-7, 8



The applicant is requesting to rezone 40 acres to C-2 and condnional use approval for 242 townhomes units.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: February 22, 2022

Agenda Item #: F-8

Action Requested: Conditional Use – Townhomes - 242 units

Location of Property: 2800 block Society Hill Road

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

Current Land Use: Undeveloped

Current Zoning: C-2 & R-1

Surrounding Zoning Districts

And Land Uses:	North	R-1	Undeveloped
	South	R-1	Undeveloped
	East	PUD	Opelika-Auburn News (Wyndham PUD)
	West	PUD	Undeveloped

The applicant is requesting conditional use approval for a 242-unit townhouse development on 40 acres; a creek runs through the 40 acres, and adjacent to creek is a 25' wide natural undisturbed buffer and small ponds (1.7 and .8 acres) on each side of the buffer. The townhomes are rental units not condo or fee simple ownership. The property frontage along Society Hill Road is 525 feet. Two private entrances 200 feet apart are shown on the site plan; each entrance has a security gate with electronic access controls. Townhome amenities include a clubhouse next to a swimming pool and dog walk area. Sidewalks are shown in front of all townhome units on both sides of all private streets.

The proposed development consists of 43 townhome building groups that range from two to eight units per group: a total of 242 townhome rental units. A townhome group exterior material is a combination of cement siding, board & baton siding, and stone. Photos of townhouse elevation are attached. A townhome unit minimum lot width is 20 feet wide; the lot width provided is at least 23 feet. The average size of the first floor is 22' x 50'. At least one front, rear or side yard area for each unit is 50% or more of the first floor area as required; each townhome group is at least 20 feet from another townhome group as required. The two-bedroom, two-bath one-story units are 1,015 square feet with a one car garage. The three-bedroom, three bath two-story units are 1,411 sf with one car garage (The 2nd floor consist of one bedroom & bath.).

The landscape plan meets minimum requirements. A total of 396 trees and 749 shrubs are shown on plan. A residential buffer is shown as required along the north and south property line to buffer the adjacent properties in a R-1 residential zoning district from the multi-family development. The buffer must consist of the options¹ provided in the Landscape Regulations. One understory tree and three shrubs (8 points) are shown in the front yard of each townhome unit near parking spaces that represents parking lot point requirements. However, the landscape plan shows a total of 94 parking lot points (one point per parking space is required) but the site plan shows 578 parking spaces; 578 parking lot point are required (It appears parking lot point are met, but the legend needs to be revised.). A landscape buffer is shown along the clubhouse/guest parking spaces near the front property line as required and described in Section X.² Staff recommends extend the buffer to each side property line to connect with each residential buffer required along north and south property lines. The size of trees and shrubs on landscape plan must meet the minimum size requirements as provided in the Landscape Regulation.

Approval of this conditional use is contingent on City Council's approval of the rezoning from R-1 to C-2. The Council would likely hold a rezoning public hearing, and then vote at an April City Council if the rezoning is recommended to City Council.

Staff recommends approval subject to the following:

1. City Council approves rezoning of the 40 acres for R-1 to C-2
2. Staff recommends extend the parking lot buffer shown near front property line to each side property line to connect with residential buffers
3. Revise landscape legend and/or add landscaping as required so minimum base points and parking lot points are met.
4. If dumpsters 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.
5. Add on site plan who is responsible to maintain the creek buffer area and two ponds.
6. Relocation of overhead utilities so that no building are in easements.
7. All utilities shall be underground except overhead required transmission lines.

a. ¹ An opaque fence not less than six (6) feet in height, with horizontal or vertical openings not greater than three (3) inches per one (1) linear foot AND a four (4) foot wide strip of Evergreen plantings, which will grow to at least six (6) feet in height within three full growing seasons planted on the inside of the fence or;

b. A staggered double row of Evergreen plantings at least six (6) feet in width, which will grow to at least six (6) feet in height and spaced in a manner which after three (3) years will provide an impervious visual barrier or;

c. Natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the City Horticulturist shall determine whether the barrier is satisfactory through a site inspection prior to plan approval. Barriers shall be erected during construction to ensure the area is protected from damage due to construction.

a. ² A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

Engineering Department Report

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

The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

No comments.

Jim Chapman Communities – Attached Rental Cottages



The attached, one and one half story ranch cottages feature light-filled, spacious floor plans, a one-car garage, covered front and/or rear porches with individual driveways. Because all exterior maintenance is professionally managed, owners can enjoy a “lock and leave” lifestyle to pursue hobbies, traveling, family time and more.

Jim Chapman Communities serves as the General Contractor for all horizontal and vertical construction of its projects. By maintaining the role of General Contractor, rather than assigning this task to another firm, JCC is able to ensure the highest quality of construction throughout the entirety of the development process.

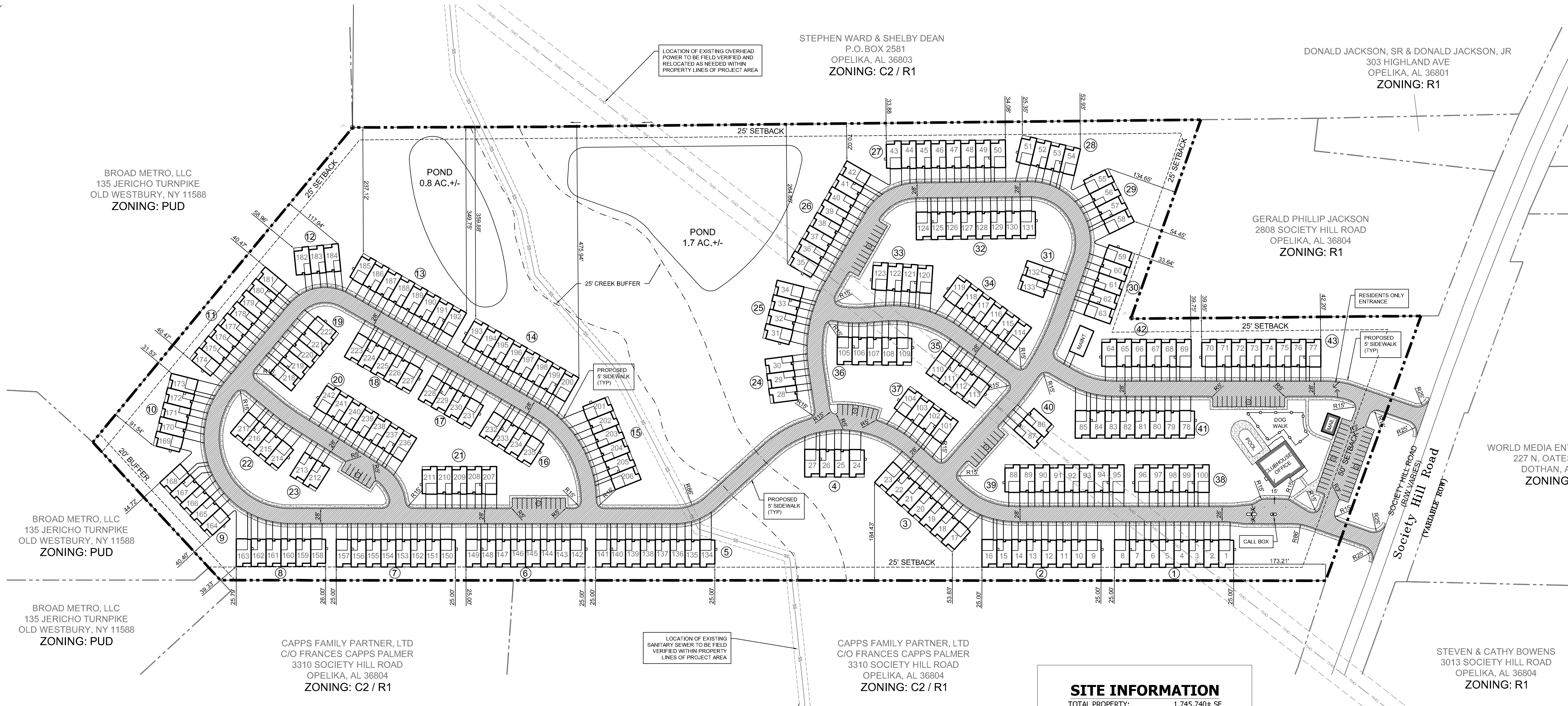
Active Adult | Seniors | High Level Work Force

Elevations



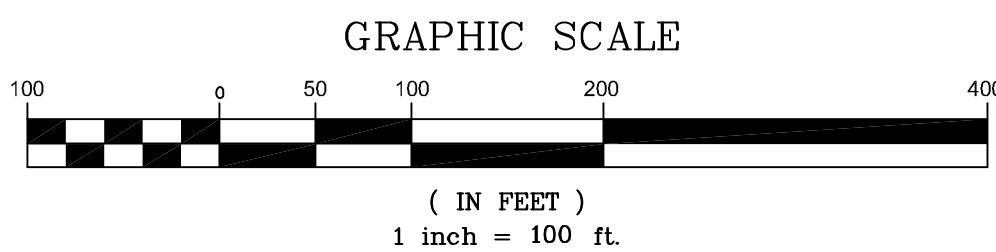
Elevations





SITE INFORMATION	
TOTAL PROPERTY:	1,745,740± SF 40.08 AC
PROPOSED USE:	
TOWNHOMES	46
TOTAL BUILDINGS:	43
RESIDENTIAL	
CURRENT ZONING:	C2 / R1
SETBACKS:	
FRONT	50'
BACK	50'
SIDE	25'
RESIDENTIAL AREA:	
TOTAL UNITS:	242
UNITS PER ACRE:	242/40.08 = 6.04
REQUIRED PARKING:	
RESIDENTIAL	484 SPACES
PROVIDED PARKING:	
RESIDENTIAL	484 SPACES (2 SPACES PER UNIT x 242 UNITS)
CLUBHOUSE PARKING:	47 SPACES
GUEST PARKING:	47 SPACES

OWNER / DEVELOPER:
JIM CHAPMAN COMMUNITIES
2700 CUMBERLAND PARKWAY
SUITE 130
ATLANTA, GA 30339
404-557-9314
KEVIN HESS
KHess@JimChapmanCommunities.com



PAYMENT DISCLAIMER FOR FIELD CHANGES

ANY CONSTRUCTION WORK CHANGES TO THESE ENGINEERED PLANS COMPLETED WITHOUT ENGINEER'S PRIOR WRITTEN APPROVAL SHALL BE DONE AT CONTRACTOR'S EXPENSE. THIS LIMITATION INCLUDES CHANGES OR MODIFICATIONS REQUESTED BY LOCAL AUTHORITIES AND/OR PERMITTING AGENCIES.

NOTICE TO CONTRACTORS

CONTRACTOR SHALL CAREFULLY EXAMINE ALL DOCUMENTS AND THE CONSTRUCTION SITE TO OBTAIN FIRST HAND KNOWLEDGE OF EXISTING CONDITIONS. CHANGE ORDERS WILL NOT BE ISSUED NOR WILL EXTRA MONIES BE PAID FOR CONDITIONS WHICH CAN BE DETERMINED BY SITE EXAMINATION AND/OR BY DOCUMENT EXAMINATION PRIOR TO BIDDING THE PROPOSED WORK.

Know what's below.
Call before you dig.

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

es

706 12th ST. PHENIX CITY, AL 36868 (PH: 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36801 (PH: 334-745-7026)
121 W. BROAD ST. EUFALA, AL 36022 (PH: 334-687-4257)

JIM CHAPMAN COMMUNITIES
ATLANTA, GA

THE COTTAGES AT
SOCIETY HILL

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PROPOSED
SITE PLAN

DRAWN BY: K. SHERRID
DESIGNED BY: C. ROGERS / K. SHERRID
REVIEWED BY: C. ROGERS
REVIEWED BY: S. RICE
APPROVED BY: T. SIMPSON

DATE: 01 FEB 2022

PROJECT NUMBER: 22-0003

SHEET NUMBER: C1



REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Barrett-Simpson, Inc.
 MAILING ADDRESS: 223 South 9th St. Opelika, AL 36801
 PHONE NUMBER: 334-745-7026 Email: brice@barrett-simpson.com

PARCEL INFORMATION

Site Address: 308 Pepperell Parkway

Description of proposed use: Commercial Outparcels/Multi-Family Residential/Townhomes

Tax Parcel Number: 43-09-05-15-4-000-032.000 & 43-09-06-14-3-000-134.001

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

Current Land Use: Vacant

Current Zoning: PUD

Proposed Zoning: PUD-Amended

Number of APO: 24 x \$7.00 = \$ N/A
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$125.00

PAID: _____

I hereby request my property located at (street address) 308 Pepperell Parkway,
 Tax Map parcel number 43-09-05-15-4-000-032.000 & 43-09-06-14-3-000-134.001 be rezoned from
PUD to PUD-Amended. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE: 	2/1/22 DATE
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.	

The Ballfields Development

Proposed PUD-Amended Rezoning

Barrett-Simpson, Inc. (Applicant), on behalf of Falcon Development Advisors, Inc./Opelika Equities, LLC, respectfully requests that the Opelika Planning Commission amend The Ballfields Subdivision PUD (Planned Unit Development), to modify the number and layout of commercial parcels, reduce the number of apartment units and add townhomes to the PUD plan. The subject property was rezoned PUD, allowing for 20 apartment buildings and 3 commercial outparcel uses. The applicant is proposing to *add* 30 townhomes and 2 additional commercial uses to the PUD while *reducing* the number of apartment buildings from 20 to 10 and *reducing* the number of apartment units from 368 to 200. Thus, the proposed reduction in residential units will yield an overall density of 4.06 units/acre, as compared with 6.49 units/acre approved in the original PUD.

Location

The Proposed Development is located within the City of Opelika, along Pepperell Parkway, south of the Walmart Supercenter and adjoining retail shopping center and west of Royal Federal Credit Union and several existing Mill Village single family homes. The Development will take access from Pepperell Parkway, North 30th Street and Cunningham Drive, all being City-owned and maintained streets.

Concept

The Applicant is proposing a revised master planned development, consisting of approximately 200 multi-family units, housed in 10 buildings, onsite garage and self-storage buildings for resident use, 5 outparcel lots for general commercial uses and 30 Townhomes. The development will be complete with its own amenity sites and open spaces/detention areas which will serve the residents and future businesses.

Approximately 56.71 acres of the site will be used for the residential and open space portion of this development resulting in an overall density of 4.06 units per acre. The remaining 4.02 acres will contain the commercial outparcels along Pepperell Parkway.

Site Details

The Proposed Development consists of a total of +/-60.74 acres. Internal roads will be privately owned and maintained by the developer and/or a property owners association.

Access to the proposed development will be taken from Pepperell Parkway, N. 30th Street and Cunningham Drive. It is not anticipated that the traffic generated by development of the subject property will unduly burden either public street accessed by the future users or residents.

Storm water detention/retention will be provided on site. Open Spaces and Amenity areas are planned for the Ballfields development. These amenities include a central facility containing a clubhouse, pool, and pickleball courts, walking trails, and a potential amphitheater.

Architectural guidelines, building regulations and use restrictions will be governed by Covenants, Conditions and Restrictions. The proposed multi-family development, townhome and commercial development will feature use-specific architectural guidelines, property owner associations and maintenance agreements for jointly owned infrastructure and landscaping.

Setbacks and Buffers

With a mixed-use development, buffers should be added between uses. There will be 15' Landscape Buffers placed between single-family residential lots and any multi-family or commercial uses. Appropriate landscape buffers will be implemented along the service road fronting Pepperell Parkway, in accordance with City of Opelika requirements.

Utilities

The Proposed Development will be served by City of Opelika sewer and water services. Power and communications will be provided by Opelika Power Services. Natural gas, if used, will be provided by Spire (formerly Alagasco).

Uses

As the Proposed Project is a mixed-use development, it is necessary to outline future uses that are deemed appropriate and approved for the commercial and Multi-Family portions of the Project.

The Commercial portion of the development will generally conform to the C-3 zoning designation use tables located within the City of Opelika Zoning Ordinance and will be further limited by restricting the following additional uses not restricted within the Ordinance:

Adult Businesses	Body Art	Package Liquor Store
Outside Manufacturing	Crematorium	Scrap/Salvage Yard
Laundromat	Flea Market	Cemetery
Mausoleum	Columbarium	

Commercial Uses conforming to these restrictions will be by-right uses and will not be required to receive Conditional Use approval in the future.

The Multi-Family portion of the project will allow Apartments, Townhomes, and Resident-Only Garages and Self-storage Units as by-right uses at a maximum density of 16 units per acre.

Net Impact of Proposal

The Proposed Development will offer a mix of uses and densities of housing not previously offered in a master planned development in Opelika. The Ballfields will enhance the quality of life for residents and strengthen the health of west Opelika by providing high quality multi-family residential living with integral amenities and supporting commercial opportunities. The proximity of the multi-family housing proposed in the Ballfields development to commercial uses will benefit not only its residents but also benefit the overall economy in the City of Opelika.

The proposed rezoning from the current zoning designations to PUD is necessary to accommodate the uses and housing densities contemplated for the Ballfields.

Multi-family owners, commercial owners and tenants will all benefit from common area maintenance and security of property as property owners or owners association(s) will maintain any common areas associated with the development.

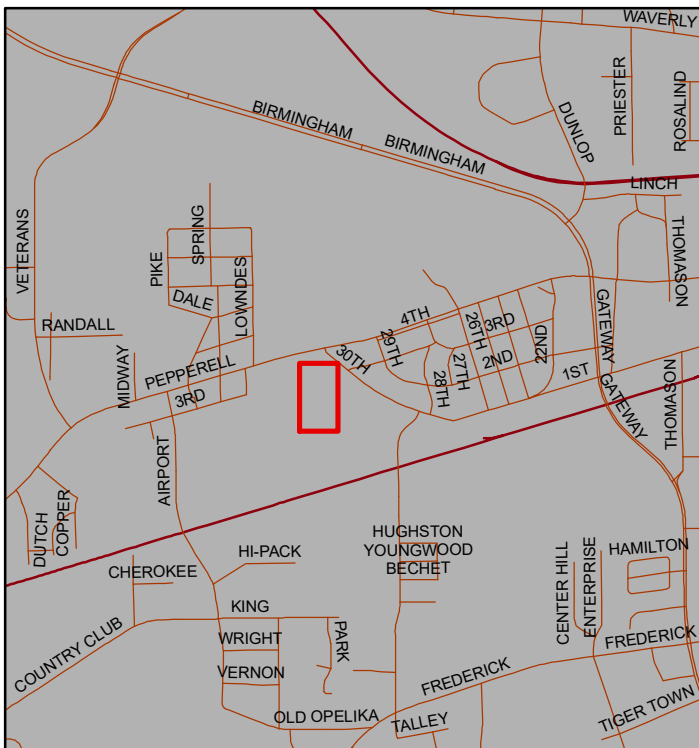
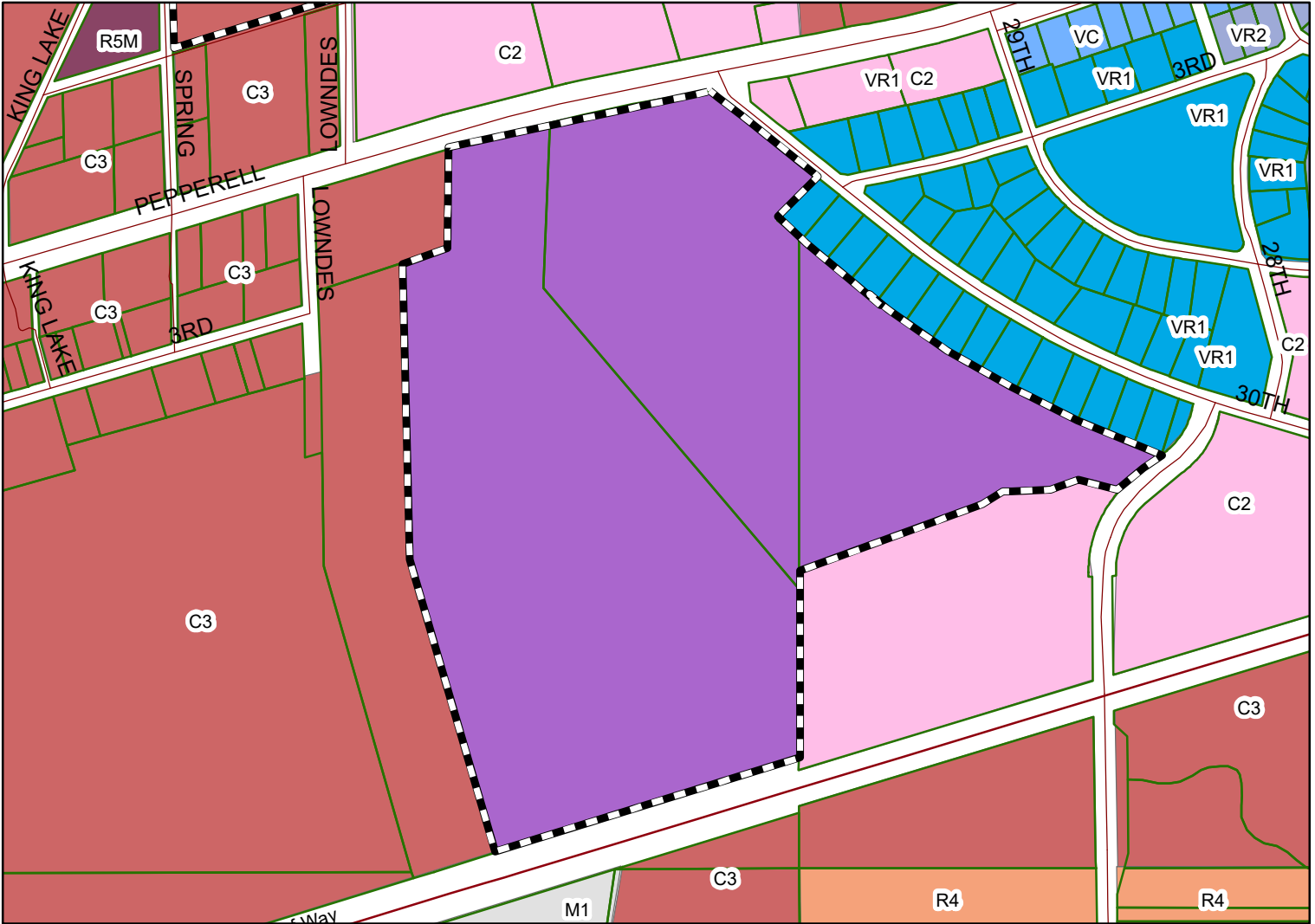
The proposed rezoning request does not adversely impact the City of Opelika or its infrastructure in any way. Rather, the rezoning proposed for the Ballfields represents a net benefit to the City upon implementation through its completion.

Accompanying Exhibits

Attached are several exhibits supporting the application for Amendment to the existing PUD for the Ballfields development. The supporting exhibits include the following:

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development and Surrounding Property
- Townhome Elevational Plans
- Authorization to Act as Applicant
- Deed to Subject Property
- Application for PUD-Amended Zoning

MASTER PLAN REVISIONS PEPPERELL PARKWAY & NORTH 30TH STREET MAS MINOR MASTER PLAN AMENDMENTS, H-9



A master plan and PUD zoning was approved for commercial parcels along Pepperell Parkway and apartment units accessed from North 30th Street. The applicant is now requesting master plan amendments to add 30 townhome units.



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

City of Opelika

Planning Commission

Planning Department Report

Meeting Date: February 22, 2021

Agenda Item #: H-9

Action Requested: Ballfields Master Plan Amendment – Minor Amendment to reduce the number of units and replace some multi-family with townhouse type

Location of Property: Southwest corner of the intersection of Pepperell Parkway and North 30th Street

Property Owner: Opelika Equities, LLC.,
Blake Rice, Barrett-Simpson, Inc.

Current Zoning: PUD

Proposed Zoning: PUD (Planned Unit Development)

Existing Land Use: Undeveloped (former ballfields)

**Surrounding Zoning Districts
And Land Uses:**

North	C-2 & C-3/GC-P	Vacant/Commercial (retail)
South	M-1, C-2 & C-3	Manufacturing/Vacant/Office
East	C-2/GC-P & VR-1	Bank and Residential
West	C-3	Vacant

Rezoning:

The subject property is approximately 60.74 acres with a planned unit development (PUD) zoning district that was approved in 2019. The approved development consisted of 368 residential apartment units with commercial uses along the Pepperell Parkway. There is also a large amenity area along Pepperell Creek. The applicant is proposing to reduce the overall unit count and replace some of the approved multi-family apartments with fee-simple townhomes.

The approved plan had a density 6.49 units per acre over the 56.71-acre portion of the property. The revised plan with 230 units would now have a density of 4.04 units per acre.

The commercial property along the frontage is approximately 4.04 acres and shows five proposed buildings. The number of buildings increased, but overall the commercial area is still consistent with the original approval. The narrative provided by the applicant lists the allowed uses in this area as those typically found in the C-3 zone. The applicant has listed some uses that they would restrict through the PUD. These would include adult businesses, outside manufacturing, body art, cemetery, and package stores among others. Other uses that would be conditional in the C-3 zone would require conditional use if desired later. These uses would typically include those with an outside component.

During the initial approval process, there was significant discussion regarding how the multi-family would be buffered from the existing residential in the Mill Village. The proposed plan further moves the apartment buildings away from the adjacent residential. The proposed plan also adds 30 townhouses in five (5) buildings. These units would be fee-simple units that would be subdivided. The applicant is proposing that the units would follow the traditional townhouse standards found within the zoning ordinance. The units would be oriented around a central parking area. The front setback would be 10 feet to allow the parking to be held in common space. The non-adjoined sides would be 10 feet for end units. The rear setback would be at least 20 feet or the depth of the required yard. The rear setback for the units adjacent to the Mill Village are shown at 40 feet with a buffer located between the units and the single-family homes.

Again, the overall unit count is being reduced significantly. The number of multi-family units is being reduced from 368 units to 200 units. The buildings are a mix of two and three story buildings. The three story buildings are all located on the western side away from the existing residential.

Buffers and Landscaping – The applicant states in the narrative that they would provide a 15 foot buffer between the single-family residential and the multi-family, townhouses, and commercial uses. The site plan also shows a fence running the length of the property along the boundary. At the previous approval meeting, the residents had asked for an enhanced buffer. The applicant explained that much of the existing plant material would not provide the best buffer, because the mature trees didn't provide a screen. The ordinance at a minimum requires a residential buffer to include either two staggered rows of evergreen trees or a single row of evergreen trees and a fence.

The uses along public streets and specifically along Pepperell Parkway will be required to meet frontage and parking landscaping requirements.

Each use will require a full landscape plan prior to the release of a building permit for the particular use. This will ensure that all stages of the development meet city landscaping requirements.

Amenities – The site plan and narrative both show a clubhouse, pavilion, fitness area and dog park. This area is close to Shady Park in the Mill Village and this park would likely be used by residents as well. There is also a large flood plain area shown along Pepperell Creek.

The proposed development will provide good residential opportunities in an area that already has access and available utilities. This housing is located in an area with nearby natural amenities, job centers, retail and access to major transportation areas.

Staff Recommendation:

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property to PUD subject to the following:

- 1. A residential buffer along the eastern property line adjacent to the single family in compliance with the residential bufferyard requirements. Additionally, this bufferyard shall extend along the driveway leading to 30th Street.**
- 2. Landscaping plans meeting the requirements for each use will be required prior to the issuance of a building permit.**
- 3. All utilities shall be underground.**
- 4. A sidewalk shall be extended from the internal sidewalks of the development to Cunningham Drive.**
- 5. All dumpsters shall be fully screened.**
- 6. No signage is being approved with this plan. All signage is required to be approved by separate application.**
- 7. All buildings shall comply with City of Opelika Gateway Corridor standards including cladding and screening requirements.**

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposal and recommends master plan revision.

Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

Drawing Name: P:\1- BSI Projects\2021\21-0108 Falcon Development Ballfields Commercial Dwg\02 - proposed apartments\conditional use\21-0108 Falcon Development - residential.dwg, Last Modified: Jan 31, 2022 - 6:10am by barre

PROJECT DATA

BUILDINGS:

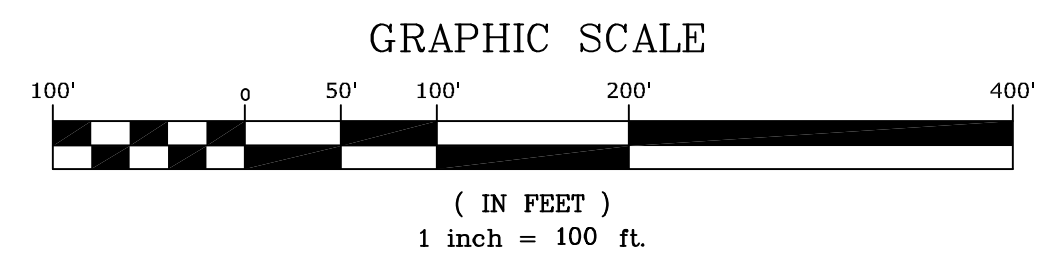
10 APARTMENT BUILDINGS	
5 - 3 STORY (24 UNITS EACH) =	120
5 - 2 STORY (16 UNITS EACH) =	80
TOTAL UNITS =	200

PARKING:

REQ'D SPACES = 2 PER UNIT (400 TOTAL SPACES)	
PROVIDED SPACES =	510 SPACES

TOWNHOUSE:

30 TOWNHOUSE UNITS	
PROVIDED SPACES =	77



FALCON DEVELOPMENT

Ballfields Development

01 FEB 2022 - INITIAL ISSUE

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Simpson, Inc.

PROPOSED SITE PLAN

DRAWN BY: L. MOTLEY 25 JAN 2022
DESIGNED BY: C. ROGERS 22 JAN 2022
REVIEWED BY: C. ROGERS 27 JAN 2022
APPROVED BY: C. ROGERS 31 JAN 2022

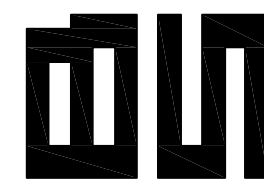
DATE: 26 JAN 2022

PROJECT NUMBER: 21-0108

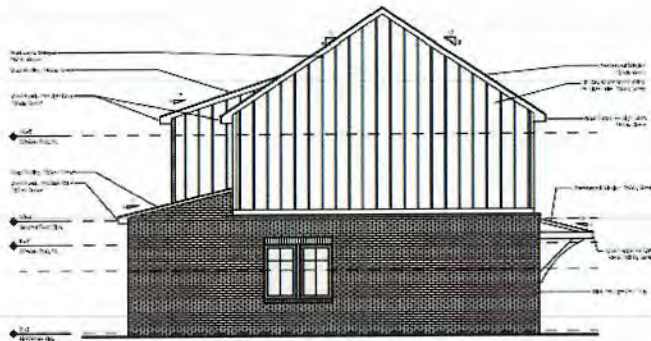
SHEET NUMBER

C1

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



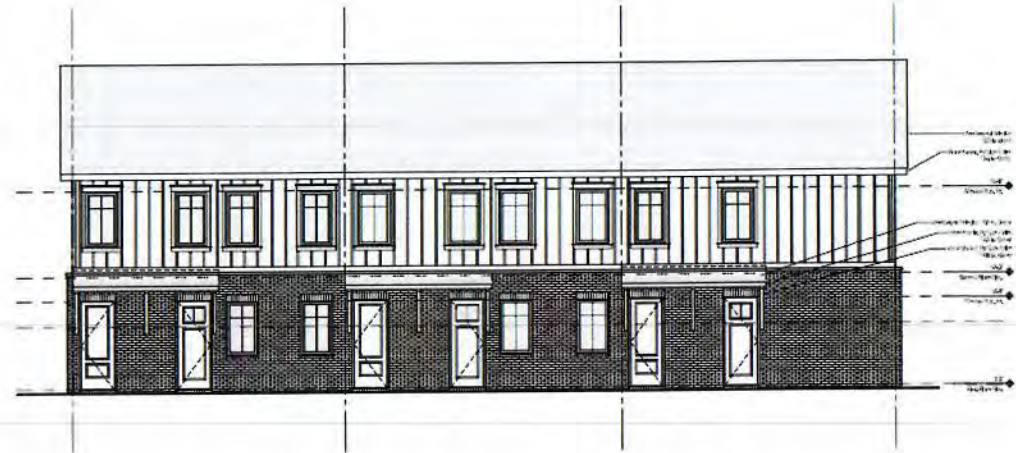
706 12th ST. PHENIX CITY, AL 36868 (PH: 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36801 (PH: 334-745-7086)
121 W. BROAD ST. EUFaula, AL 36802 (PH: 334-687-4257)



RIGHT ELEVATION - TYPICAL

SCALE: $\frac{1}{8}" = 1'-0"$

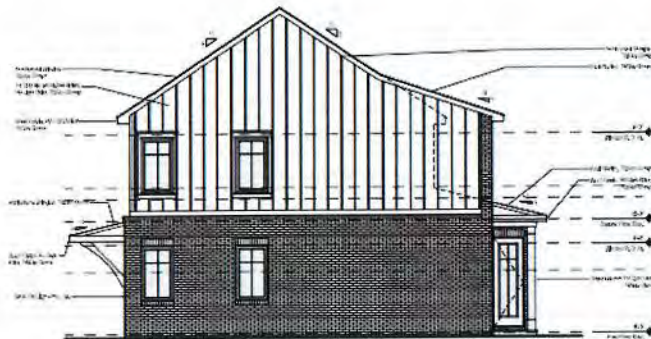
D



REAR ELEVATION - BUILDING 6

SCALE: $\frac{1}{8}" = 1'-0"$

B



LEFT ELEVATION - TYPICAL

SCALE: $\frac{1}{8}" = 1'-0"$

C



FRONT ELEVATION - BUILDING 6

SCALE: $\frac{1}{8}" = 1'-0"$

A