



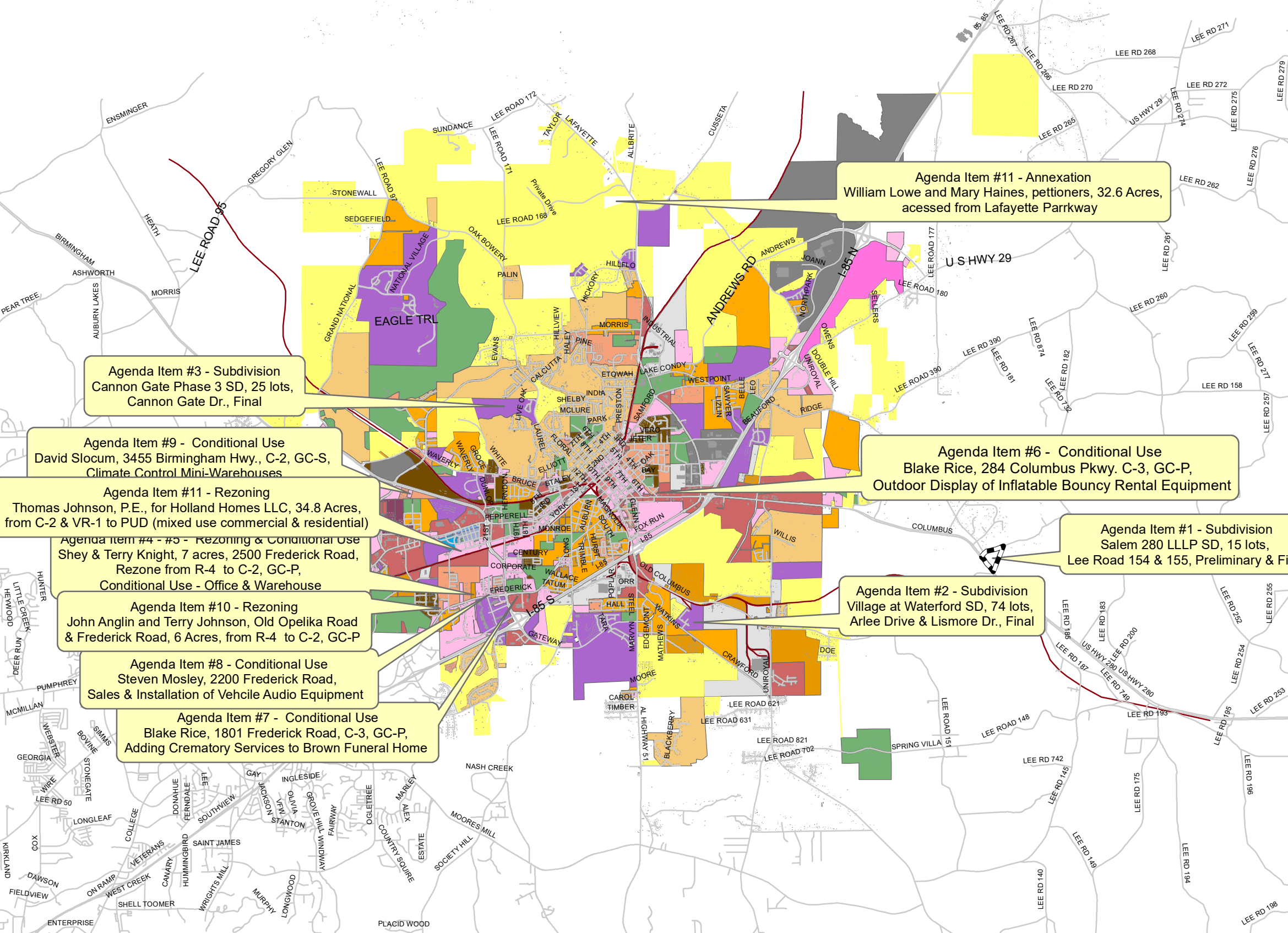
**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
March 22, 2022
TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
 - A. **PLAT (Preliminary and Final) - Public Hearing**
 - 1. Salem 280 LLLP SD, 15 lots, Lee Road 154, Lee Road 155, and Highway 280, Blake Rice, Barrett-Simpson, authorized representative for Salem 280, LLLP, Preliminary and Final Approval
 - B. **FINAL PLAT**
 - 2. Village at Waterford SD, Phase 4A, 74 lots, Arlee Avenue, Lismore Drive, and Heathcote Drive, Doug Ransom, authorized representative for DRB Group Alabama, LLC, Final Approval
 - 3. Cannon Gate SD, Phase 3A, 25 lots, Cannon Gate Drive, Blake Rice, Barrett-Simpson, authorized representative for SMB Land, LLC, Final Approval
 - C. **REZONING and CONDITIONAL USE - Public Hearing**
 - 4. Rezoning Request, Blake Rice, Barrett-Simpson, authorized representative for Shey and Terri Knight, 7 acres, 2500 block of Frederick Road, from R-4M to C-2, GC-P
 - 5. Blake Rice, Barrett-Simpson, authorized representative for Shey & Terri Knight, Frederick Road, C-2, GC-P, Office warehouse development.
 - D. **CONDITIONAL USE - Public Hearing**
 - 6. Blake Rice, Barrett-Simpson, authorized representative for Intellivest, Inc, 284 Columbus Parkway, C-2 and C-3, GC-P, Outdoor display of products.
 - 7. Blake Rice, Barrett-Simpson, authorized representative for Brown Service Funeral Homes Company, 1801 Frederick Road, C-3, GC-P, Add crematory services to an existing funeral home.

8. Steven L. Mosley, authorized representative for Candy Lanier, 2200 Frederick Road, C-2, GC-P, Sales & installation of audio and video lighting pertaining to the 12-volt Industry.
9. David Slocum, Pinnacle Design Group, Inc, authorized representative for J&G Properties, LLC, Birmingham Highway, C-2, GC-S, Climate controlled mini-warehouse. (Existing Conditional Use approval expired, reapplying for Conditional Use approval).
- E. **AMENDMENT TO THE COMPREHENSIVE PLAN and REZONING - Public Hearing**
10. Rezoning Request, Alan Dorn, authorized representative for John H. Anglin and Terry L. Johnson, 6 acres, at the corner of Old Opelika Road and Frederick Road, from R-4 to C-2, GC-P
11. (a) Amendment to the Future Land Use Map, First Avenue, 34.8 acres, from a light commercial and low density land use category to a mixed use category.

(b) Rezoning request, Thomas Johnson, Holland Homes, authorized representative for Saucier Investments, LLC, 34.8 acres, First Avenue, from C-2 & VR-1 to PUD
- F. **ANNEXATION**
12. Annexation, William B. Lowe and Mary Susan Haines, Lafayette Parkway (Hwy 431), Annex 32.6 acres, R-1 zoning requested.
- G. **TEXT AMENDMENTS TO ZONING ORDINANCE - Public Hearing**
13. A public hearing to consider a recommendation to the City Council on proposed text amendments to the Zoning Ordinance: Section 9.5 General Provision for Signs, 24. Changeable Copy Signs and Section 9.7 Table 9.7(2): Sign Requirements for Other Permitted Types of Temporary Signs.

“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 #11 - Annexation
William Lowe and Mary Haines, petitioners, 32.6 Acres,
accessed from Lafayette Parkway

Agenda Item #3 - Subdivision
Cannon Gate Phase 3 SD, 25 lots,
Cannon Gate Dr., Final

Agenda Item #9 - Conditional Use
David Slocum, 3455 Birmingham Hwy., C-2, GC-S,
Climate Control Mini-Warehouses

Agenda Item #11 - Rezoning
Thomas Johnson, P.E., for Holland Homes LLC, 34.8 Acres,
from C-2 & VR-1 to PUD (mixed use commercial & residential)

Agenda Item #4 - #5 - Rezoning & Conditional Use
Shey & Terry Knight, 7 acres, 2500 Frederick Road,
Rezone from R-4 to C-2, GC-P,
Conditional Use - Office & Warehouse

Agenda Item #10 - Rezoning
John Anglin and Terry Johnson, Old Opelika Road
& Frederick Road, 6 Acres, from R-4 to C-2, GC-P

Agenda Item #8 - Conditional Use
Steven Mosley, 2200 Frederick Road,
Sales & Installation of Vehcile Audio Equipment

Agenda Item #7 - Conditional Use
Blake Rice, 1801 Frederick Road, C-3, GC-P,
Adding Crematory Services to Brown Funeral Home

Agenda Item #6 - Conditional Use
Blake Rice, 284 Columbus Pkwy. C-3, GC-P,
Outdoor Display of Inflatable Bouncy Rental Equipment

Agenda Item #1 - Subdivision
Salem 280 LLLP SD, 15 lots,
Lee Road 154 & 155, Preliminary & Fi

Agenda Item #2 - Subdivision
Village at Waterford SD, 74 lots,
Arlee Drive & Lismore Dr., Final



PLANNING COMMISSION MINUTES

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**

The City of Opelika Planning Commission held its regular monthly meeting February 22, 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: Mayor Gary Fuller, Mr. Ira Silberman, Councilman George Allen, Mrs. Leigh Whatley, Ms. Lucinda Cannon, and Mr. Michael Hilyer.

MEMBERS ABSENT: Chairman Lewis Cherry, Dr. Arturo Menefee, and Mr. John Sweatman.

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.

Approval of Planning Commission Minutes January 25, 2022

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Leigh Whatley

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller,
Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

C. **UPDATE ON PREVIOUS PC CASES**

Mr. Mosley stated the Laurel Lakes property, which was previously recommended by the Planning Commission to go to City Council, was approved by the City Council. There were some minor changes to increase some of the buffers and increase some of the lots after discussion with some of the adjoining property owners, but that has been approved.

D. PLAT (Preliminary Only) - Public Hearing

1. Wyndham Village SD, Phase 3, 100 lots, Wyndham Village Drive, Brandon Bolt, Bolt Engineering, Inc, Preliminary Approval

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, 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.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this subdivision by Opelika Utilities.

Mr. Parker reported for the Opelika Power Services, Phase 3 is inside the Opelika Power and Alabama Power Service territory.

Acting Chair Cannon opened the public hearing.

No comments.

Acting Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

Mr. Silberman stated the piece of ground between the two properties where it has been developed and the potential property, there's a creek that runs up there. Who owns that property and how is it going to be dealt with? It looks like a retention pond.

Mr. Mosley asked are you talking about this piece to the north?

Mr. Silberman stated it's on the backside.

Mr. Parker stated on the west side.

Mr. Mosley stated that area will be part of the open space.

Mr. Silberman asked is it the same property owner?

Mr. Mosley stated so, the developer probably will maintain it until the homeowner's association is established and then it will be the homeowner's association that I would assume will maintain it.

Mr. Silberman stated so it's the same current property owner.

Mr. Mosley stated yes sir, and this street was originally in the original Master Plan intended to connect down to the next segment. I believe due to that stream and just some of the topography through there, they decided to go ahead and stop it before they had to make that crossing.

Mr. Silberman asked and City Engineering has no problem with that?

Mr. Parker stated no, sir. It's standard that the homeowner's association manages that buffer and open space, so that's pretty standard that they're maintained and owned by the homeowner's association and not the city.

2. Drakes Landing SD, Phase 2, 117 lots, South Uniroyal Road, Brandon Bolt, Bolt Engineering, Inc, Preliminary Approval

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, 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.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this subdivision by Opelika Utilities.

Mr. Parker reported for the Opelika Power Services, this is inside the Opelika

Power Service territory.

Acting Chair Cannon opened the public hearing.

No comments.

Acting Chair Cannon closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Ira Silberman

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller,
Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

E. FINAL PLAT

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

Mr. Mosley reported 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 final 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**

Mr. Parker reported for Engineering, 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 will need to be submitted.

- Maintenance Bond of 25% of the estimated total infrastructure cost will need to be submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots will need to be 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.

Mr. Parker reported for the Opelika Utilities Board, this subdivision is in Beauregard Water Authority's service area.

Mr. Parker reported for the Opelika Power Services, this is outside of the Opelika Power Service territory.

Motion to grant final plat approval with staff recommendations

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

F. CONDITIONAL USE - Public Hearing

4. Matt Cobb, LLC, 621 Columbus Parkway, C-3, GC-P, Automotive retail sales and truck accessories and sales.

Mr. Mosley reported 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.

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.

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.

Mr. Parker reported for Engineering, 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.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this use by Opelika Utilities.

Mr. Parker reported for the Opelika Power Services, this is inside the Opelika Power Service territory.

Acting Chair Cannon opened the public hearing.

No comments.

Acting Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

DISCUSSION: Ms. Cannon asked will there be any wrecked vehicles?

Mr. Mosley stated that is a condition that they wouldn't be able to store wrecked vehicles out there in the front area.

Ms. Cannon asked did you say 90 days or 30 days?

Mr. Mosley stated 90 days is the maximum amount of time that a vehicle would be allowed to stay there on site. That prevents them from building up a large storage area. I don't believe that this is intended to be geared towards bodywork right now. It is probably more geared towards lifts and beds

and accessories and things like that, but I think that it is appropriate because in the future if this were to change to a more traditional body shop, provided that the conditional use doesn't expire from lack of use, those conditions would stay with the land.

AYES:	Ms. Cannon stated I feel pretty strong about that. Cannon, Whatley, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	Ira Silberman

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.

Mr. Mosley reported 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.

Mr. Silberman stated I only saw one place for dumpsters.

Mr. Mosley stated yes sir, right now they are only showing a compactor in the rear section. Often times that's one item that may shift between conceptual plan of conditional use and the actual development of the building and so they may go with either multiple smaller dumpsters, a compactor, or it's not likely to happen in this case but some sort of individual pick up. If they do have a dumpster, they need to be screened is what we are saying.

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.

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.

Mr. Parker reported for the Opelika Utilities Board, this use will be served by a master meter.

Mr. Parker reported for the Opelika Power Services, this is inside the Opelika Power Service territory.

Acting Chair Cannon opened the public hearing.

No comments.

Acting Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

DISCUSSION: Mayor Fuller stated this is going to be a game changer for downtown Opelika. It's going to be a great project and we're looking forward to working with the developer. It's going to bring a lot more folks to live in downtown Opelika and of course that'll make some new business and commercial opportunities available for folks.

Mr. Hilyer asked are all four buildings going to be built at the same time?

Jim Daws, Sierra Development Group, stated yes they will all be built at the same time.

Mr. Silberman asked are these for rent or for purchase?

Jim Daws stated they will be rental.

Mr. Silberman stated I am concerned about the trash.

Jim Daws stated at all our properties we provide valet trash service that we pick up five nights a week. The residents put their trash outside their door and we come pick it up. We will take it down to the one central location where the compactor is located and we will pull that as many times as is necessary. We maintain that service.

Mr. Silberman stated that was my concern because I only saw the one compactor and it's a pretty good distance from some of those buildings.

Jim Daws stated yes sir, we have people on staff that will do that.

Ms. Cannon asked what happens when you run out of parking spaces?

Jim Daws stated we've had similar developments like this. We did one in Macon very similar, and to be honest we just haven't had that problem. A lot of folks don't mind walking. We are hoping that we'll be able to also get some parking on the adjoining property that John and Ashley Marsh have as we develop that but from our experience we don't anticipate that being a problem. That's why we have over 50 percent of these units are one-bedroom units. It's really geared toward young professionals, retirees, and empty nesters, so it's not really geared toward larger families.

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

6. Blake Rice, 375 West Point Parkway, R-4, Add 36 apartment units to Pinehurst Apartments.

Mr. Mosley reported 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 buffer [2](#) 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, 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.

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.*

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, this use will be served by a master meter.

Mr. Parker reported for the Opelika Power Services, this is inside the Opelika Power Service territory.

Acting Chair Cannon opened the public hearing.

Blake Rice, Barrett-Simpson, 223 South 9th Street, stated since receipt of the staff report, the developer of this property has rethought some of their ideas, and they would like to request that this project be tabled at the Commission's pleasure to allow them to further continue to look into this and possibly work with staff on modifying this request.

Ms. Cannon stated alright. So, when is it brought back?

Mr. Gunter, City Attorney, stated if it is tabled at their request time is not an important factor, but the motion needs to state tabled at the request of the applicant.

Acting Chair Cannon closed the public hearing.

Motion to table the item at the request of the applicant

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

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

Mr. Mosley reported 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.**

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposal and recommends a positive recommendation for rezoning to City Council.

Mr. Mosley reported for the Opelika Utilities Board, no comments.

Mr. Mosley reported for the Opelika Power Services, this is in the Opelika Power Services and Alabama Power service territory.

Acting Chair Cannon opened the public hearing for the Future Land Use Map and the Rezoning Request at the same time.

Blake Rice, Barrett-Simpson, 223 South 9th Street, stated I would like to note that although the property to the south is zoned R-1, the property owner to the south is also the current property owner of this property, and actually this rezoning is at their request. So that's worth noting when you start looking at a zoning map and realize that the property owner itself is making this request. Jim Chapman with Jim Chapman Communities is here. It is a little difficult. We find ourselves in this situation regularly with a rezoning and a conditional use. So, I know that there could be questions right now regarding the conditional use that need to be answered before it moves forward on the rezoning itself. I'd be happy to answer any questions. Mr. Chapman is also here and can answer any questions about his particular development. He also has a lot of data about these communities that he compiles from other municipalities where he builds these. If that data can help in any way, he'd also be happy to share that data with you. Mr. Mosley has a PDF of a quick presentation if you'd be interested to see it. Other than that, I'd be happy to answer any questions.

Acting Chair Cannon closed the public hearing.

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

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Ira Silberman
AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen
NAYS: None
ABSTAIN: None

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

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

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.

Mr. Mosley reported 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 options [1](#) 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.*

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.

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.

Mr. Parker stated also, we would like to see if the applicant can discuss the potential of connection to the Capps Development to the west of there. I didn't know it was that close until I saw the overview and I didn't know if that was a consideration as well.

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

Mr. Mosley reported for the Opelika Utilities Board, no comments.

Mr. Mosley reported for the Opelika Power Services, no comments.

Acting Chair Cannon opened the public hearing.

Blake Rice, Barrett-Simpson, stated I would be happy to answer any questions, as would Mr. Chapman.

Acting Chair Cannon closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Director Mike Hilyer

DISCUSSION: Ms. Cannon asked is it a single car garage?

Blake Rice stated yes ma'am.

Ms. Cannon asked where is the second car going to park for those who have spouses?

Blake Rice stated the end units on each building do have double garages and then you also have a driveway in front of the garage just like a single family home that most people park in anyway.

Ms. Cannon stated so someone is going to have to move a car for the car in the garage to get out.

Blake Rice stated yes ma'am but it's also worth noting that a great portion of these residents are single person.

Mr. Hilyer asked how wide are these roads? They're pretty wide aren't they?

Blake Rice stated they are developed to be city standard roadways, they're not little private drives.

Mr. Mosley stated on here they are shown at 28 feet in width.

Mr. Hilyer stated so that's pretty wide.

Mr. Silberman stated I have a comment and really I was going to save it for the end and not talk to any specific project, but for a while now we have had tremendous success in growing the city and the projects and residents and that's great and what we have to do but what I am beginning to be concerned about is we are transitioning from a single family home community to a substantial amount of multi-resident complexes and I'm concerned as to whether Planning and Engineering have really thought through what's going to be developing in terms of these projects and maintaining housing

and maintaining parking and maintaining trash pick-up. I don't say this as a problem but as a concern that it's going to be a substantial size of our community in rentals. The number of cars house parked or whether they are cover parked or not and the quality of the spaces become new conditions that are going to be a major impact on the visual as well as the physical affect of this community. I just comment now because we are about to vote on another big project and I want to make sure that we have got in place the rules and regulations that the city needs to move forward with it.

Ms. Cannon stated I feel the same way and if this is approved as well as the next item is approved, we will have approved 688 lots, apartments, and townhomes today.

Mr. Silberman stated I grew up in a Navy housing project that got away from them because nobody really looked after it.

Mayor Fuller stated Madam Chair I would remind you to look at how many single-family home lots we have platted over the last five years, as evidenced by the fact that we permitted last year 488 new single family homes. Already this year's first four months we have permitted 212 single-family homes. Yes, we are getting some multi-family, but we are a long way from having more multi-family then we are single-family.

Ms. Cannon stated this just included everything.

Mr. Silberman stated I don't disagree with the momentum that we've got and the direction we are going. I am only concerned that we have the right rules and regulations to build that support and maintain what we've done.

Ms. Cannon stated 20 years from now.

Mr. Silberman stated exactly.

Mayor Fuller stated that's always going to be a challenge. There will be more cars and people will complain about traffic too.

Mr. Silberman stated that's why we've got to plan ahead.

AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

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.

Mr. Mosley reported 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-adjointed 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 approve the Minor Amendment to the Master Plan 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.**

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposal and recommends master plan revision.

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

Mr. Parker reported for the Opelika Power Services, this is inside the Opelika Power Service territory.

Acting Chair Cannon opened the public hearing.

No comments.

Acting Chair Cannon closed the public hearing.

Motion to grant approval for the Minor Amendment to the Master Plan with staff recommendations

RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Leigh Whatley
AYES: Cannon, Whatley, Director Hilyer, Mayor Fuller, Councilman
 Ward 1 Allen
NAYS: None
ABSTAIN: Ira Silberman

I. **ADJOURN**

Motion to adjourn at 4:12 p.m.
RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Director Mike Hilyer
AYES: Cannon, Whatley, Silberman, Director Hilyer, Mayor Fuller,
 Councilman Ward 1 Allen
NAYS: None
ABSTAIN: None

_____ Lucinda Cannon, Acting Chair

_____ Matt Mosley, Secretary



2801

AGENDA ITEM # _____

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



DEADLINE: 3/1/22 MEETING: 3/22/22

SITE ADDRESS: Lee Rd. 154, Lee Rd. 155, US Hwy. 280

PROPERTY OWNER: Salem 280, LLLP

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

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Salem 280 LLLP

Current Land Use: Vacant

Current Zoning: None

Proposed use of the Subdivision: Residential/Commercial

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

Number of Lots: 15 x \$3.00 = \$45.00

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

Fee: \$75.00

TOTAL = \$169.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Salem 280 LLLP 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: Blake Rice

(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

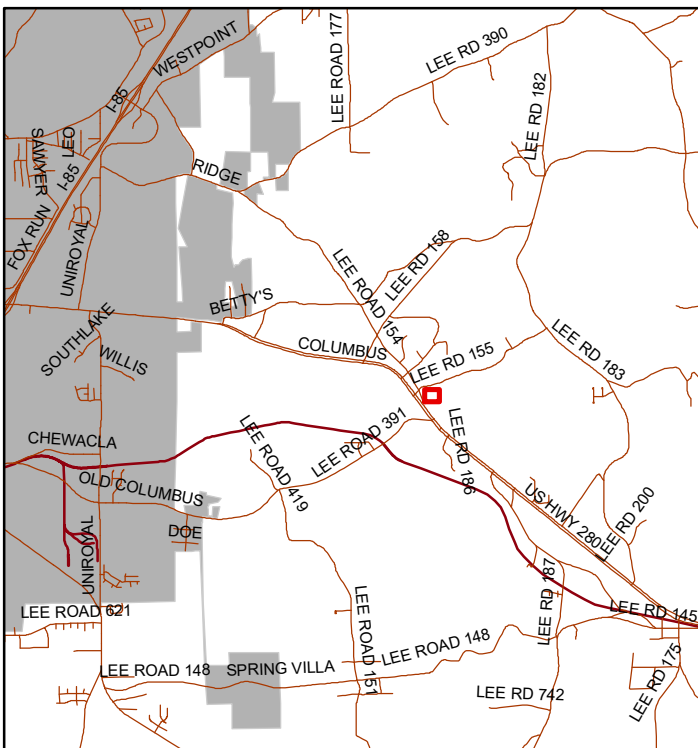
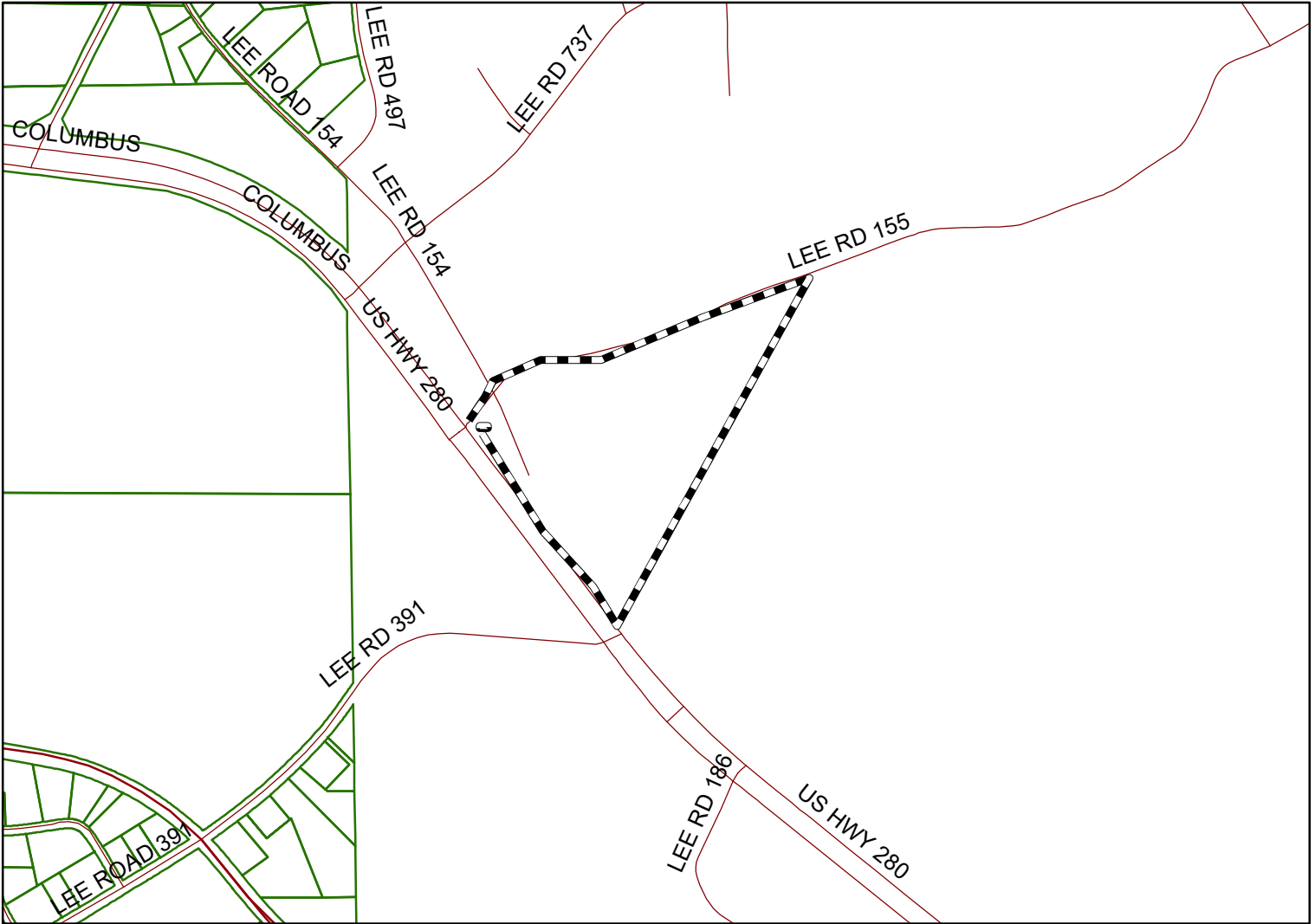
3/1/22

DATE

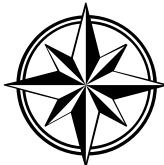
SALEM 280 LLLP SUBDIVISION

LEE ROAD 154, LEEROAD 155, HIGHWAY 280

PRELIMINARY AND FINAL APPROVAL, A-1



The applicant is requesting preliminary and final approval for a 15 lot subdivision for single family home lots. The property is located in the PJ (Planning Jurisdiction).



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: March 22, 2022

Subdivision: Salem LLLP SD

Agenda Item #: A-1

Action Requested: Preliminary and Final Approval

Location of Property: Lee Road 154 and Lee Road 155

Property Owner(s): Salem LLLP
Blake Rice, authorized applicant

Current Land Use: Undeveloped

Current Zoning: PJ (Planning Jurisdiction)

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0095G – all in
“Zone X” Zone X area is outside the 0.2% annual chance
floodplains

Staff Comments:

The applicant is requesting preliminary and final approval for a 15 lot subdivision located in the Planning Jurisdiction: 11 lots front along Lee Road 155 and 3 lots front along Lee Road 154. Lot 2 (18.39 acres) is an interior lot accessed from two different 60 foot strips shown between Lot 6 and 7 on Lee Road 155 and between Lot 1 and 3 on Lee Road 154 (unimproved area). Lot 4 has frontage along Lee Road 154 and Lee Road 155.

In the Planning Jurisdiction, R-2 standards apply for minimum lot size; 15,000 square feet is the minimum lot size in the R-2 zone. The lots range in size from 21,818 square feet (sf) to 800,897 sf; lot width ranges from 95.94 feet to 941.56 feet. The authorized applicant stated, Lots 1, 3, and 4 will be commercial uses and Lots 5-15 will be residential uses. Lot 2 will be reserved for future development. This subdivision is unique because the area on the rear of Lot 1, 2, and 15 has both a 50 foot Sabal Trail Transmission Pipeline Right-of-Way and a 100 foot Alabama Electric Cooperative Right-of-Way. The authorized representative stated no lots will take access on Hwy 280 and Lee Road 154 would likely need to be upgraded if Lot 1 or 2 tried to access Lee Road 154 directly.

Planning staff recommends preliminary and final approval subject to the following:

1. Add the adjacent property owner names for Lots 1, 3, and 4.
2. The front setback line shown is not required to be recorded on this plat.

3. If water service is not Opelika Utilities and served by public water add that organizations signature block for review and approval.
4. A found marker on the front of Lot 6 is not dimensioned with respect to the property line.
5. The Opelika easement statement is missing.
6. Include the owner/developer's name and address.
7. No access will be taken on Hwy 280.

Engineering Department Report

All of the Opelika Surveyors comments have been addressed and the submitted plat meets all Subdivision and Public Works Manual requirements. The Opelika Engineering Department recommends Preliminary and Final plat approval.

Opelika Utilities Board Report

This subdivision is in the Smith Station Water Authority's service area.

Opelika Power Services Report

This is outside of the Opelika Power Service territory.

Lee County Engineering Comments

I have the following comments for this Salem 280 LLLP:

- Show all utility lines
- Show the pavement and pavement widths
- Show all drainage structures
- Show any necessary drainage easements
- Add the table from section 4-1-(16)
- If this site is serviced by public water add the water company certificate

I have one additional comment for the Salem 280 LLLP plat:

- Add a 15ft utility easement along the front of the lots

Kendall Andrews, P.E.

Lee County Highway Department

www.LeeCo.us

Phone: 334-737-7011

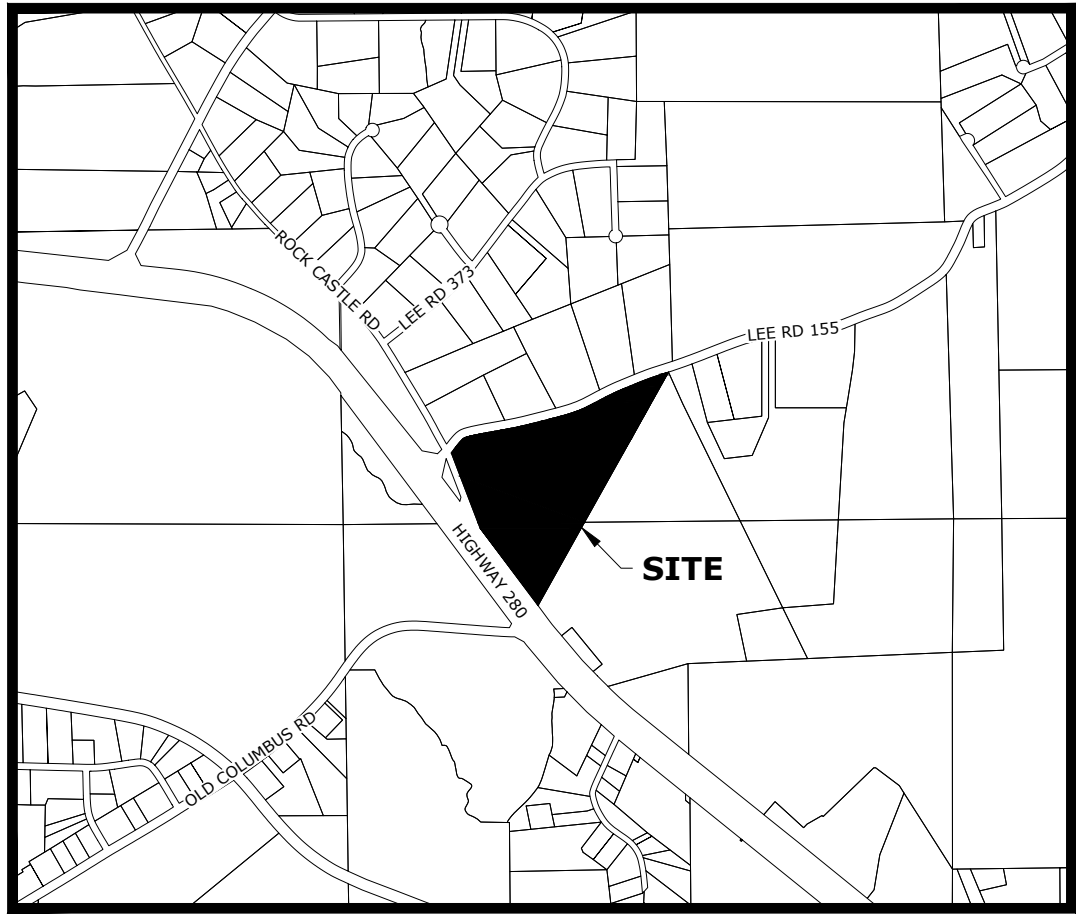
Fax: 334-745-6994

Email: Kandrews@leeco.us

NOTES

- Survey North is Grid North based upon Alabama East State Plane Coordinates, NAD83, by GPS observation.
- Basis for Survey:
 - Boundary Survey for Salem 280 LLLP by Barrett-Simpson, Inc. dated January 30, 2018.
 - Deed Book 2520, Page 141 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Deed Book 2520, Page 141 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Deed Book 2463, Page 382 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Deed Book 2448, Page 527 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Deed Book 1451, Page 322 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Guinn Subdivision, Plat Book 25, Page 40 recorded in the Office of the Judge of Probate of Lee County, Alabama.
 - Right-of-Way Map, Project No. F-422(18), Dated February 1970.
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0095G, effective November 02, 2011, the subject property is located: Zone X (areas determined to be outside the 0.2% annual chance of floodplain).
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc. that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.

VICINITY MAP
not to scale

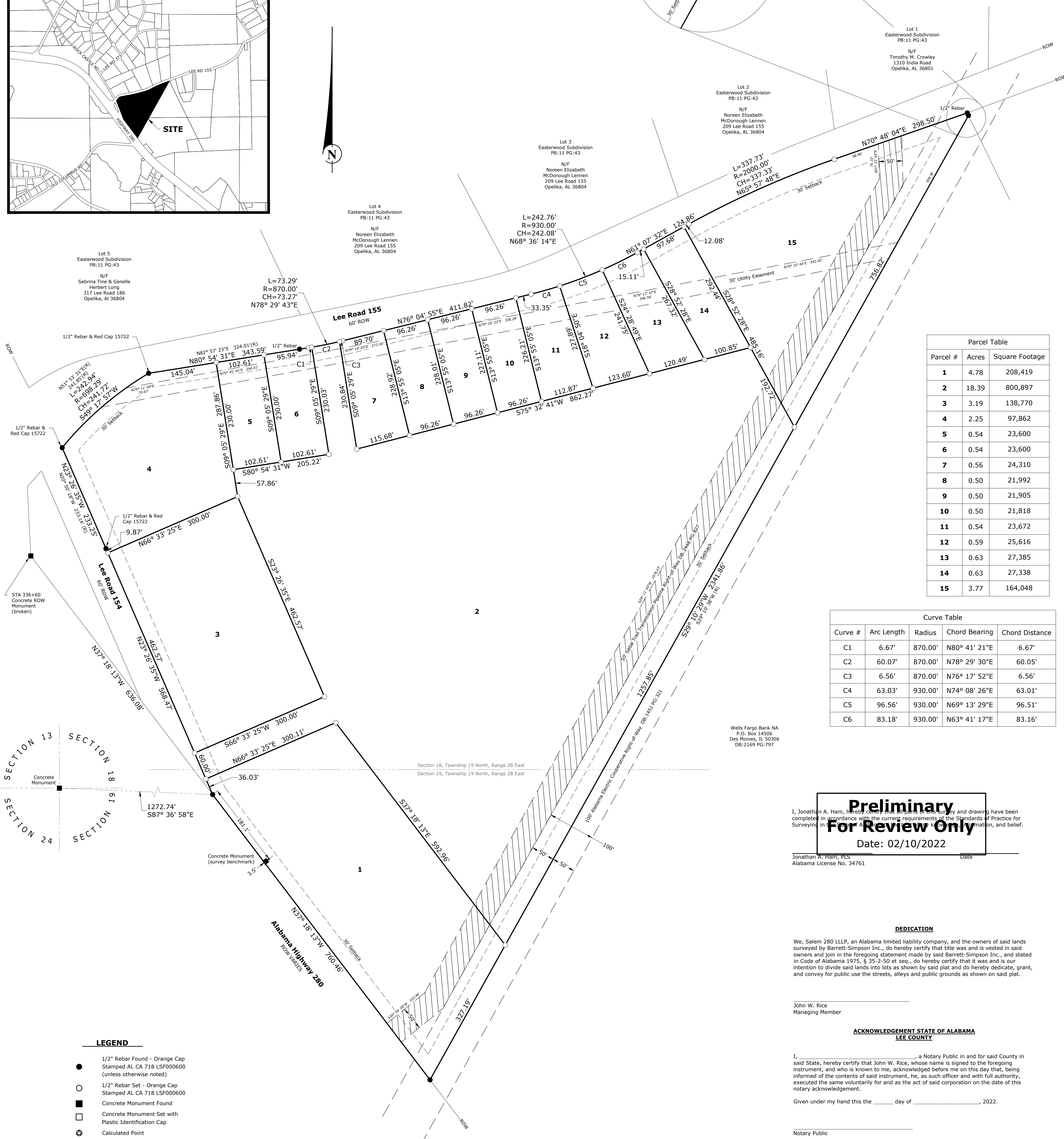
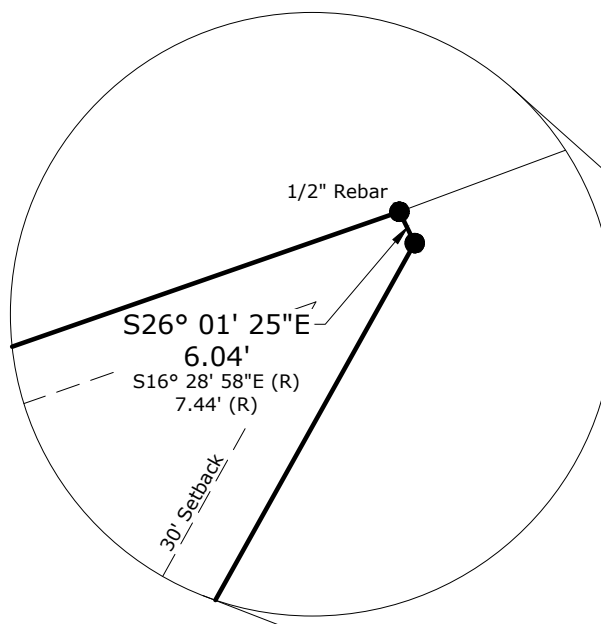


PLAT OF

SALEM 280 LLLP

BEING A PART OF SECTIONS 18 & 19, TOWNSHIP 19 NORTH, RANGE 28 EAST,
LEE COUNTY, ALABAMA

Insert Map
Not to Scale



Parcel Table		
Parcel #	Acres	Square Footage
1	4.78	208,419
2	18.39	800,897
3	3.19	138,770
4	2.25	97,862
5	0.54	23,600
6	0.54	23,600
7	0.56	24,310
8	0.50	21,992
9	0.50	21,905
10	0.50	21,818
11	0.54	23,672
12	0.59	25,616
13	0.63	27,385
14	0.63	27,338
15	3.77	164,048

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	6.67'	870.00'	N80° 41' 21"E	6.67'
C2	60.07'	870.00'	N78° 29' 30"E	60.05'
C3	6.56'	870.00'	N76° 17' 52"E	6.56'
C4	63.03'	930.00'	N74° 08' 26"E	63.01'
C5	96.56'	930.00'	N69° 13' 29"E	96.51'
C6	83.18'	930.00'	N63° 41' 17"E	83.16'

I, Jonathan A. Ham, PLS, Surveyor, certify that 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. I, the undersigned, am a duly Licensed Professional Surveyor, and believe.

Date: 02/10/2022

Jonathan A. Ham, PLS
Alabama License No. 34761

DEDICATION

We, Salem 280 LLLP, an Alabama limited liability company, and the owners of said lands surveyed by Barrett-Simpson Inc., do hereby certify that title was and is vested in said owners and join in the foregoing statement made by said Barrett-Simpson Inc., and stated in Code of Alabama 1975, § 35-2-50 et seq., do hereby certify that it was and is our intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

John W. Rice
Managing Member

ACKNOWLEDGEMENT STATE OF ALABAMA
LEE COUNTY

I, _____, a Notary Public in and for said County in said State, hereby certify that John W. Rice, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the date of this notary acknowledgement.

Given under my hand this the _____ day of _____, 2022.

Notary Public

My Commission Expires _____

LEE COUNTY HEALTH DEPARTMENT APPROVAL

The lot(s) 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 the said health department and are made a part of this plat as id set hereon.

Lee County Health Officer
Authorized Signature

Date

CERTIFICATE OF APPROVAL BY THE 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 Opelika Planning Commission approved the within plat for the recording of same in the Probate Office of Lee County, Alabama, this ____ day of _____, 20__.

County Engineer
County of Lee, Alabama

PROJECT NO: 17-515
SCALE: 1" = 100'

FIELD BY: N/A
DRAWN BY: MCM
FIELD DATE: N/A
DRAW DATE: 02/10/2022

LEGEND

- 1/2" Rebar Found - Orange Cap Stamped AL CA 718 LSF000600 (unless otherwise noted)
- 1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
- Concrete Monument Found
- Concrete Monument Set with Plastic Identification Cap
- Calculated Point
- RLPY Real Property Book
- MB: Map Book
- DB: Deed Book
- PB: Plat Book
- PG: Page
- (R) Record Bearing or Distance
- (TYP.) Typical Example
- ROW Right-of-Way
- N/F Now or Formerly
- D.U.E Drainage and Utility Easement
- Not to Scale
- Overhead Utility Lines w/ Power Pole

OPELIKA CERTIFICATES

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

Chairman: _____ Date: _____

Accepted by the Opelika City Planner, Opelika, Alabama:

Planner: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

City Engineer: _____ Date: _____

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

Public Works Director: _____ Date: _____

Accepted by the Opelika Utilities, Opelika, Alabama:

Opelika Utilities: _____ Date: _____

Accepted by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

BARRETT-SIMPSON, INC.
Engineers & Land Surveyors
706 12th STREET, PHOENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUPHORA, AL 36627 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)



**APPLICATION FOR
SUBDIVISION APPROVAL**
PLANNING DEPARTMENT *2808*
700 FOX TRAIL
OPELIKA, AL 36801



DEADLINE: *5/11/22* MEETING: *3/22/22*

SITE ADDRESS: Arlee Ave, Lismore Dr, and Heathcote Dr.

PROPERTY OWNER: DRB Group Alabama, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Doug Ransom (Development Coordinator)

MAILING ADDRESS: 160 Whitney St. Fayetteville, GA 30214

PHONE NUMBER: 404-859-7887

FAX NUMBER: N/A

EMAIL ADDRESS: lransom@drbgroup.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL ☒

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

☐ Annexation

☐ Rezoning

☐ Other _____

PARCEL INFORMATION

Subdivision Name: Village at Waterford Ph. 4-A

Current Land Use: vacant

Current Zoning: PUD

Proposed use of the Subdivision: residential

☐ Residential

☐ Commercial

☐ Manufacturing/Industrial

☐ Office/Institutional

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

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

Fee: \$75.00

TOTAL = \$75.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Village at Waterford Ph. 4-A 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.

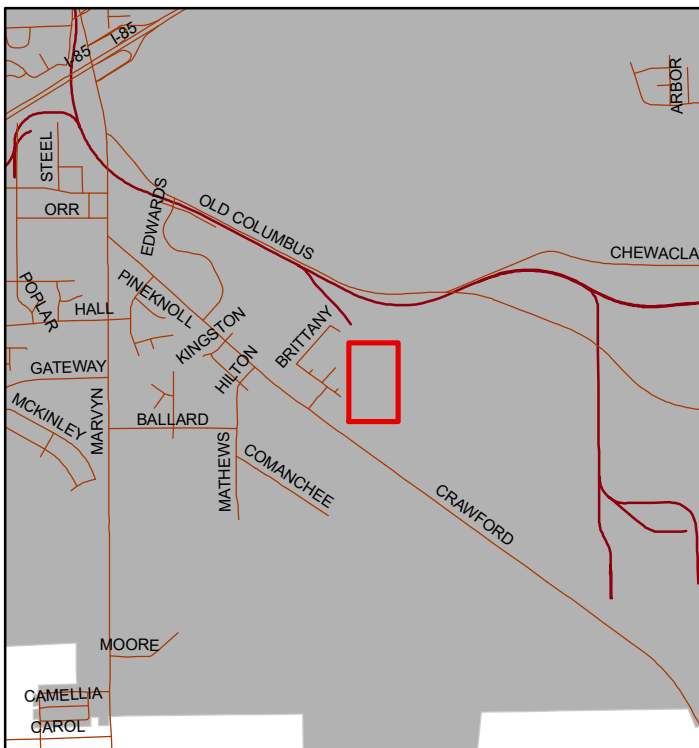
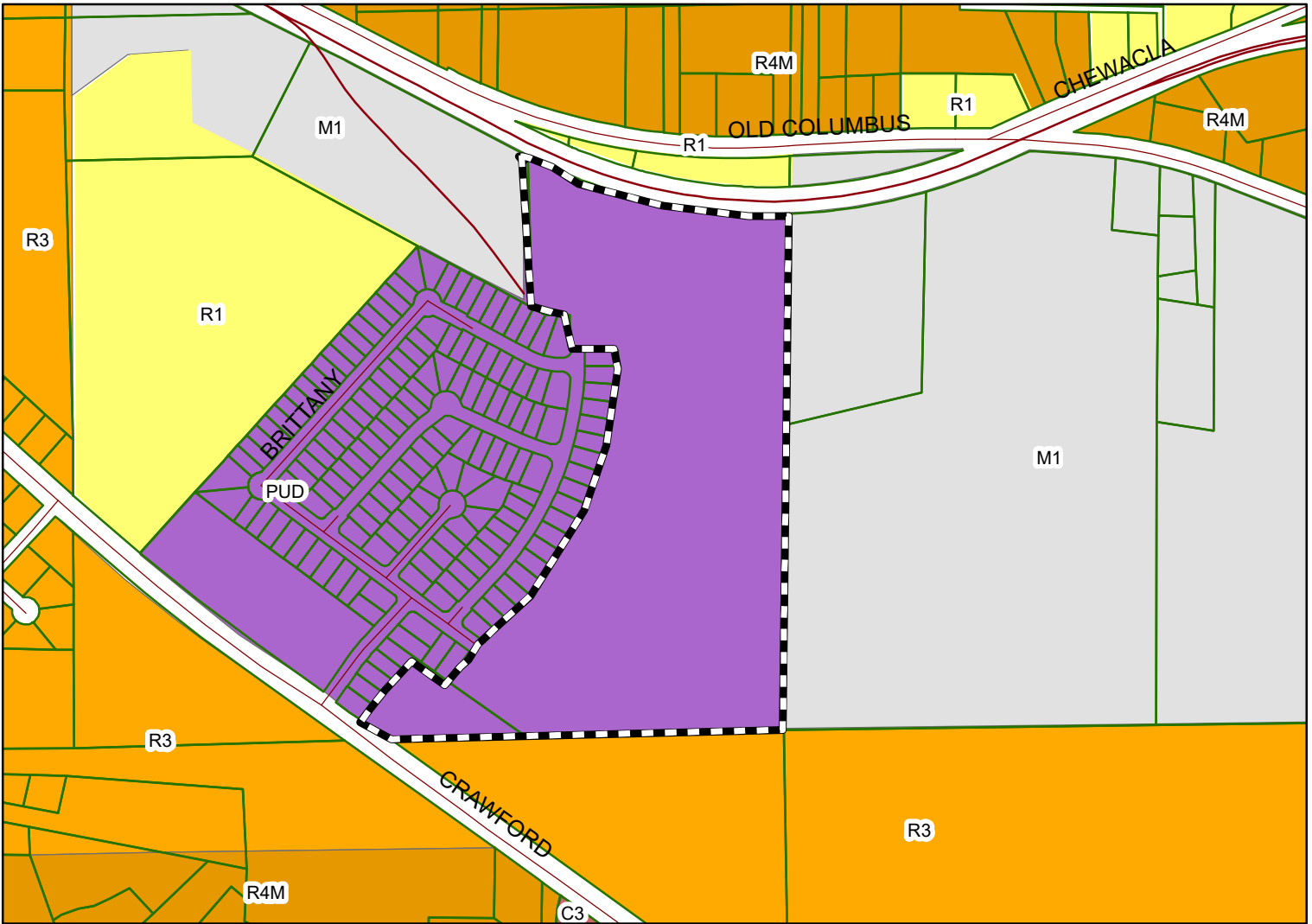
OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE: *Doug Ransom*

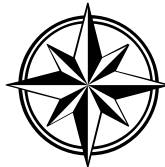
(PRINT NAME) Doug Ransom Land Development Manager

DATE 3/1/2022

**VILLAGE AT WATERFORD PHASE 4-A SUBDIVISION
ARLEE AVENUE, LISMORE DRIVE, HEATHCOTE DRIVE
FINAL APPROVAL, B-2**



The applicant is requesting final approval for a 202 lot subdivision for single family home lots. The property is located in the PJ (Planning Jurisdiction).



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item #: B-2

Action: Final Plat Approval Village at Waterford SD, Phase 4A, 74 lots

Location of Property: Terminus of Lismore Drive

Property Owner(s): Doug Ransom, authorized representative of DRB Group

Current Land Use: Undeveloped

Current Zoning: PUD (Planned Unit Development)

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0230G – all in “Zone X”
Zone X area is outside the 0.2% annual chance floodplains

The applicant is requesting a subdivision final plat approval for a 74 of the 202 lots planned and given preliminary approval in Phase 4 of the Village at Waterford PUD zoning district in December 2020. This phase was also given City Council’s approval of the Village of Waterford PUD Master Plan amendment in February 2021.

Phase 4A final plat consists of 72 single family home lots, one lot (5.74 acres) for stormwater detention, and one lot (34,400 sf) as an amenity lot described in the preliminary plat approval process as a neighborhood community building and swimming pool labeled Lot 243. The plat shows 35 single family home lots with front lot widths 36 to 40 feet wide and lot sizes ranging from 4,320 sf to 6,530 sf. The remaining 35 lots with front lot widths 50 to 55 feet wide and lot sizes ranging from 6,000 sf to 12,460.8 sf. The minimum building setbacks approved with the amended Master Plan PUD is 18 feet front & rear yards and 5 feet on side yard for all single family home lots and should be listed in the notes on the plat.

Staff recommends sidewalks be installed on at least one side of the street and underground utilities installed. As noted on the plat, according to the FEMA Flood Insurance Map the subdivision is in Zone X – areas not prone to flooding; less than 0.2% chance of annual chance of flooding. This subdivision meets the minimum requirements of the amended Village at Waterford master plan approved in February 2021.

During the amendment process for the Village at Waterford master plan PUD process the developer presented specific details related to lots in this portion of the development. The applicant's representative stated these development details are still true.

Development details presented with the amendment to the Village at Waterford master plan

A rendering and floor plan presented in the December 2020 packet. The exterior material is a combination of brick, lap siding and/or cedar shake siding. The homes are two-story with garage, 3 bedrooms, 2.5 bath. The square foot range for homes on 36-foot-wide lots are 1,220 sf to 1,800 sf. On the 50-foot-wide lots, the homes are 1,800 sf. The revisions to the 2005 master plan also adds about ½ acre of 'open space/amenity' area along the east property line and a small neighborhood community building, parking lot, and swimming pool on a separate lot for the Village of Waterford residences.

Planning staff recommends final plat approval subject to the following:

1. Add the property owner/developers name and address on plat.
2. Existing corner markers should be identified by size & type.
3. Change Note 6 to read as follows: "An easement is hereby granted to the City of Opelika and to any utility companies serving the City of Opelika for the purpose of installing, operating, and maintaining pole lines, guy wires and other facilities. Easement to be ten (10) feet wide and shall be centered along the front and side lot lines of each lot."
4. The north arrows are turned the wrong way.
5. There is already an Arlee Avenue.
6. Where appropriate, include record courses & distances for comparison.
7. Ensure Lot 239 be a minimum of 50 foot lot frontage at the building line.
8. Install underground utilities
9. Install sidewalks on at least one side of all streets.
10. Add a note on final plat providing the minimum building setbacks – 18 feet front yard, 18 feet rear yard and 5 feet side yard.
11. As described in the Village at Waterford Master Plan requires street trees: Street trees shall be required as noted in Section 2.c.i. in the master development plan. One tree every two lots planted on private property.
12. Add a note who is responsible to build and maintain open space/amenity areas, detention ponds, and who is responsible to construct and maintain the neighborhood community building, parking lot, and swimming pool on the "Amenity Lot" (Lot 243) on plat and as shown on the Master Plan. The authorized representative stated Lot 202 and 314 are open space lots and Lot 197 is for detention. (The City of Opelika is not responsible for the maintenance of designated open space and detention pond lots.)

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 **will need to be** submitted.
- Maintenance Bond of 25% of the estimated total infrastructure cost will **need to be** submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file **will need to be** submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots **have been** graded, and stabilized with seed and mulch, and other erosion/sediment control items 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

The water system will need to be tested and inspected before final approval.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4 A
SHEET 1 OF 2 (NOT VALID WITHOUT ALL SHEETS)

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 1ST DAY OF MARCH, 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, JOHN PERRY KNIGHT, JR., AS MANAGER OF BUILDER'S PROFESSIONAL GROUP, LLC, AS OWNERS OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOIN IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS OUR PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

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

JOHN PERRY KNIGHT, JR., MANAGER
BUILDER'S PROFESSIONAL GROUP, LLC

STATE OF ALABAMA
LEE COUNTY

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JOHN PERRY KNIGHT, JR. 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 MARCH, 2022.

NOTARY PUBLIC:

NOTES:

- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- BEARINGS BASED ON GPS RTK OBSERVATION USING OPELIKA CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM.
- NORTH IS BASED ON GRID NORTH.
- FIELDWORK COMPLETED DECEMBER 1, 2020. OFFICEWORK COMPLETED MARCH 1, 2022.
- SOURCES OF INFORMATION USED IN THE MAKING OF THIS PLAT:
 - PLAT TITLED, "VILLAGE AT WATERFORD SUBDIVISION, PHASE 3" PLAT BOOK 35, PAGE 80.
- 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 AND TO EXTEND BACK A DISTANCE OF NOT MORE THAN THE MINIMUM BUILDING LINE.
- ACCORDING TO FEMA FIRM MAP NO. 01081C0230G, PANEL 230 OF 381, EFFECTIVE DATE NOVEMBER 2, 2011, THE PROPERTY LIES IN ZONE X WHICH IS NOT A FLOOD PRONE AREA (LESS THAN A 0.2% CHANCE OF ANNUAL FLOOD).

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 PLANNING COMMISSION, OPELIKA, ALABAMA:

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

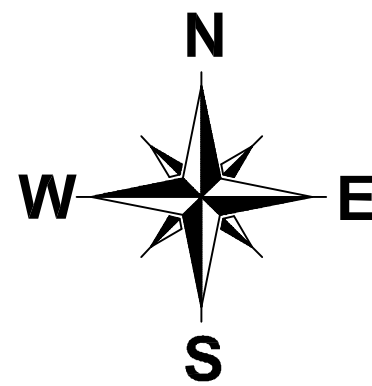
CITY ENGINEER: _____ DATE: _____

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: _____



SCALE: 1"= 60'



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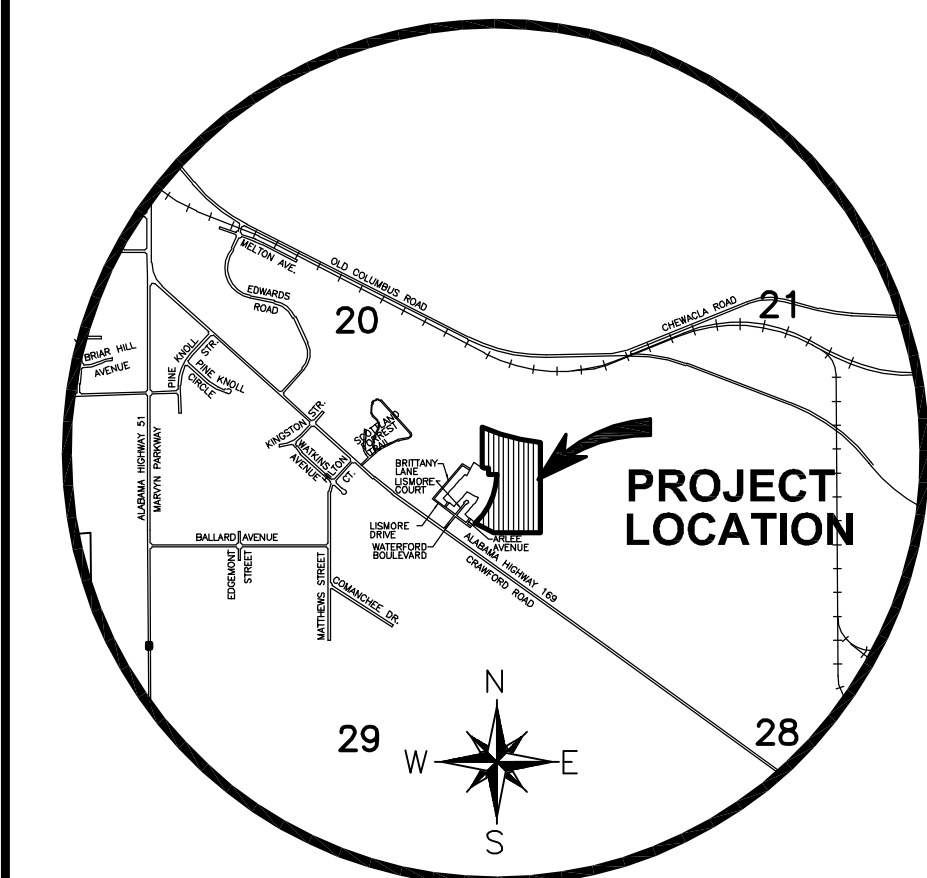


2024 Vertical Curve Data, Sta A
Opeika, Alabama 36801
Phone: (334) 749-9200
Web: www.baseline-llc.com

THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4 A
SEC. 20 T 19 N Rg 27 E
OPELIKA, LEE COUNTY ALABAMA
SCALE: 1"=50'
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

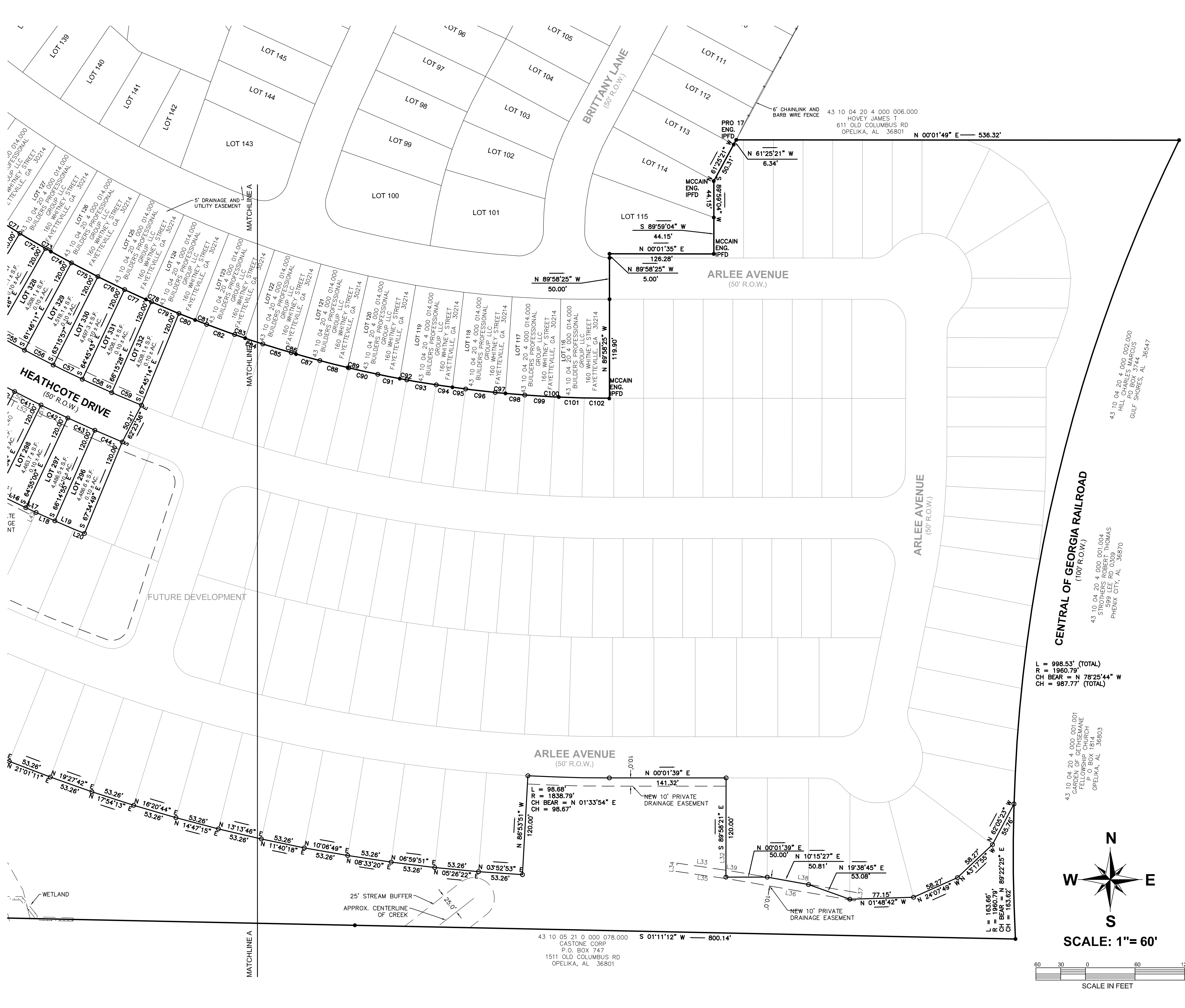
CREW CHIEF: ARN
DRAWN: CMS
DATE: 03/01/22
JOB NO: B72822.02

**THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4 A
SHEET 2 OF 2 (NOT VALID WITHOUT ALL SHEETS)**



LINE TABLE		
LINE	BEARING	DISTANCE
1	N 33°52'11"E	25.94'
12	N 33°52'11"E	25.06'
2	N 33°52'11"E	15.27'
3	N 33°52'11"E	15.64'
4	N 33°52'11"E	15.24'
5	N 33°51'58"E	19.67'
6	N 33°52'07"E	13.54'
7	N 24°24'23"E	38.79'
8	N 31°36'38"E	7.69'
9	N 30°56'41"E	31.82'
10	N 31°36'38"E	11.19'
11	N 29°25'13"E	19.90'
12	N 28°53'43"E	30.10'
13	N 27°53'46"E	8.69'
14	N 27°53'43"E	3.14'
15	N 26°21'57"E	31.77'
16	N 25°42'21"E	3.26'
17	N 25°42'21"E	3.27'
18	N 24°10'54"E	25.06'
19	N 23°19'24"E	24.94'
20	N 22°39'26"E	14.85'
21	N 22°39'26"E	14.49'
22	N 33°04'05"E	23.38'
23	N 56°35'20"E	5.30'
24	N 56°35'20"E	5.57'
25	N 42°03'06"E	2.80'
26	N 42°03'20"E	33.20'
27	N 42°03'20"E	23.68'
28	N 42°03'20"E	36.00'
29	N 42°03'20"E	36.00'
30	N 42°03'20"E	10.78'
31	N 42°03'20"E	16.52'
32	N 42°03'20"E	11.11'
33	N 08°16'46"E	W 8.80'
34	N 81°43'14"E	68.79'
35	N 81°43'14"E	68.79'
36	N 49°49'06"E	151.89'
37	N 80°10'54"E	W 10.00'
38	N 80°10'54"E	W 152.02'
39	N 81°43'14"E	68.79'
40	N 62°14'32"E	10.08'
41	N 26°27'39"E	84.03'
42	N 62°27'39"E	10.00'
43	N 26°27'39"E	W 81.61'
44	N 45°14'52"E	24.29'
45	N 62°49'52"E	82.03'
46	N 62°49'52"E	W 83.49'
47	N 62°49'52"E	82.03'
48	N 62°49'52"E	28.54'
49	N 45°14'52"E	W 19.99'
50	N 40°44'49"E	10.00'
51	N 63°45'04"E	11.00'
52	N 26°59'19"E	W 31.26'
53	N 63°45'04"E	4.88'
54	N 35°02'11"E	198.66'
55	N 56°57'49"E	10.00'
56	N 33°52'11"E	W 195.96'
57	N 33°52'11"E	10.00'
58	N 88°19'19"E	W 10.04'

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	
C1	275.00'	51.20'	51.12'	N 58°31'47" W	10°40'00"	
C2	275.00'	48.06'	48.00'	N 68°52'11" W	10°00'48"	
C3	48.04'	35.70'	35.67'	N 76°58'30" W	10°00'00"	
C4	275.00'	35.70'	35.67'	N 87°47'33" W	7°26'16"	
C5	30.00'	47.12'	42.43'	N 46°30'41" W	90°00'00"	
C6	30.00'	47.12'	42.43'	S 43°29'19" W	90°00'00"	
C7	55.00'	18.77'	18.77'	N 31°13'19" E	1°00'00"	
C8	55.00'	67.62'	63.44'	S 35°13'19" W	70°26'37"	
C9	55.00'	20.06'	19.95'	S 08°56'11" E	20°53'44"	
C10	55.00'	17.02'	16.92'	S 13°02'38" E	46°00'00"	
C11	55.00'	51.82'	49.93'	N 34°38'13" E	57°59'08"	
C12	55.00'	44.39'	43.19'	N 34°31'28" E	46°14'21"	
C13	50.00'	36.37'	34.18'	N 46°08'11" E	69°27'42"	
C14	3.80'	3.80'	3.80'	N 04°00'42" E	72°00'00"	
C15	30.00'	56.21'	48.34'	N 37°50'01" W	107°21'20"	
C16	75.00'	51.79'	51.60'	S 24°19'18" W	16°57'19"	
C17	75.00'	3.27'	3.27'	S 33°20'04" W	1°00'00"	
C18	1838.79'	77.39'	3.27'	N 33°17'01" E	1°09'54"	
C19	1838.79'	50.00'	50.00'	S 31°55'33" W	1°33'29"	
C20	1838.79'	50.00'	50.00'	S 30°22'04" W	1°33'29"	
C21	788.79'	53.60'	53.60'	N 32°07'14" E	1°00'00"	
C22	788.79'	53.60'	53.60'	N 32°10'24" E	1°43'00"	
C23	788.79'	21.05'	21.05'	N 33°31'58" E	0°40'27"	
C24	225.00'	21.04'	21.03'	N 31°11'28" W	52°02'72"	
C25	225.00'	10.10'	10.09'	N 52°07'59" E	1°44'31"	
C26	225.00'	29.45'	29.43'	N 12°00'14" E	7°29'57"	
C27	55.00'	42.01'	38.66'	N 48°22'17" E	80°14'03"	
C28	55.00'	10.27'	10.11'	N 30°07'18" E	1°00'00"	
C29	55.00'	56.30'	48.39'	N 11°42'15" E	107°31'11"	
C30	1549.83'	26.78'	26.78'	N 41°33'38" E	0°59'24"	
C31	1549.70'	36.00'	36.00'	S 04°23'57" W	1°19'52"	
C32	1549.60'	36.00'	36.00'	N 29°04'02" W	1°19'52"	
C33	1549.47'	36.00'	36.00'	N 37°44'08" E	1°19'52"	
C34	1549.37'	36.00'	36.00'	S 36°24'13" W	1°19'53"	
C35	1549.25'	36.00'	36.00'	S 35°04'18" W	1°19'54"	
C36	1549.14'	36.00'	36.00'	N 32°44'24" E	1°19'54"	
C37	1549.06'	36.00'	36.00'	N 32°24'29" E	1°19'54"	
C38	1549.00'	36.00'	36.00'	N 31°04'35" E	1°19'54"	
C39	1548.85'	36.00'	36.00'	N 29°04'40" W	1°19'54"	
C40	1548.90'	36.00'	36.00'	N 28°24'46" E	1°19'54"	
C41	1548.85'	36.00'	36.00'	S 27°04'51" W	1°19'54"	
C42	1548.79'	36.00'	36.00'	N 25°44'57" E	1°19'55"	
C43	1548.77'	36.00'	36.00'	N 25°02'52" E	1°19'55"	
C44	1548.78'	36.00'	36.00'	N 23°05'08" E	1°19'55"	
C45	30.00'	44.37'	40.44'	S 84°25'47" W	84°44'53"	
C46	1498.79'	39.13'	39.13'	N 11°52'30" E	1°29'46"	
C47	1498.79'	39.13'	39.13'	S 40°56'47" W	1°29'46"	
C48	1498.79'	39.13'	39.13'	S 39°27'01" W	1°29'46"	
C49	1498.79'	39.13'	39.13'	S 37°57'16" W	1°29'46"	
C50	1498.79'	39.13'	39.13'	S 37°27'30" W	1°29'46"	
C51	1498.79'	39.13'	39.13'	S 34°57'44" W	1°29'46"	
C52	1498.79'	39.13'	39.13'	S 33°27'59" W	1°29'46"	
C53	1498.79'	39.13'	39.13'	N 31°58'13" E	1°29'46"	
C54	1498.79'	39.13'	39.13'	S 40°28'27" W	1°29'46"	
C55	1498.79'	39.13'	39.13'	S 28°58'41" W	1°29'46"	
C56	1498.79'	39.13'	39.13'	N 27°28'56" E	1°29'46"	
C57	1498.79'	39.13'	39.13'	N 26°59'10" E	1°29'46"	
C58	1498.79'	39.13'	39.13'	S 24°29'24" W	1°29'46"	
C59	1498.79'	39.13'	39.13'	S 22°59'39" W	1°29'46"	
C60	1378.79'	8.69'	8.69'	N 41°52'30" E	0°21'46"	
C61	1378.79'	46.00'	46.00'	N 11°52'30" E	1°29'46"	
C62	33417.74'	1.34'	1.34'	N 40°10'14" W	0°00'08"	
C63	1378.79'	34.66'	34.66'	S 39°25'21" W	1°28'26"	
C64	1378.79'	30.00'	30.00'	S 38°04'45" W	1°28'26"	
C65	1378.88'	6.00'	6.00'	S 37°19'52" W	0°14'58"	
C66	1378.80'	36.00'	36.00'	S 36°27'30" W	1°29'46"	
C67	1378.80'	22.60'	22.60'	S 35°14'26" W	0°56'21"	
C68	1378.82'	3.40'	3.40'	N 22°28'54" E	0°14'46"	
C69	1378.80'	36.00'	36.00'	S 33°27'59" W	1°29'46"	
C70	1378.81'	15.16'	15.16'	N 32°24'12" E	0°37'47"	
C71	1378.80'	20.84'	20.84'	S 31°19'19" W	0°51'58"	
C72	1378.80'	36.00'	36.00'	N 28°08'27" W	1°00'46"	
C73	1378.90'	7.67'	7.67'	N 29°34'00" E	0°19'08"	
C74	1378.80'	28.33'	28.33'	S 28°49'07" W	1°10'38"	
C75	1378.79'	36.00'	36.00'	S 27°28'43" W	1°00'46"	
C76	1378.79'	35.83'	35.83'	N 25°58'58" E	1°29'21"	
C77	1378.80'	28.65'	28.65'	S 24°38'34" W	1°11'25"	
C78	1378.79'	7.35'	7.35'	S 23°53'42" W	1°18'20"	
C79	1378.80'	36.00'	36.00'	N 22°59'39" W	1°29'46"	
C80	1378.81'	21.12'	21.12'	N 21°48'26" W	0°52'40"	
C81	1378.82'	14.88'	14.88'	N 21°03'33" E	0°37'08"	
C82	1378.80'	36.00'	36.00'	N 20°00'07" E	0°23'06"	
C83	1378.83'	3.61'	3.61'	S 18°58'17" W	0°06'56"	
C84	1395.36'	22.39'	22.39'	S 18°13'24" W	0°55'10"	
C85	1378.80'	36.00'	36.00'	N 17°00'36" W	1°29'46"	
C86	1378.88'	1.14'	1.14'	N 16°08'06" E	0°01'14"	
C87	1378.80'	29.89'	29.89'	S 15°23'13" W	1°14'31"	
C88	1378.80'	34.65'	34.65'	N 14°02'45" W	1°26'24"	
C89	237.20'	1.35'	1.35'	S 13°17'53" E	0°06'18"	
C90	1378.80'	36.00'	36.00'	N 12°51'19" W	1°00'46"	
C91	1378.80'	27.23'	27.23'	N 11°11'29" W	1°07'54"	
C92	1378.86'	8.77'	8.77'	N 10°27'36" E	0°21'52"	
C93	1378.80'	36.00'	36.00'	S 09°31'47" W	0°58'68"	
C94	1378.80'	19.87'	19.86'	S 08°22'09" W	0°49'32"	
C95	1378.81'	16.14'	16.14'	S 07°37'16" W	0°40'13"	
C96	1382.15'	36.00'	36.00'	S 06°32'16" W	1°29'46"	
C97	1378.81'	2.56'	2.56'	S 05°31'43" W	0°17'20"	
C98	1378.80'	23.44'	23.44'	S 04°46'51" W	0°58'26"	
C99	1378.79'	36.00'	36.00'	S 03°32'45" W	1°29'46"	
C100	1378.85'	5.34'	5.34'	N 02°41'12" E	0°04'51"	
C101	1378.79'	30.66'	30.66'	S 01°56'00" W	1°16'27"	
C102	1378.80'	36.66'	36.66'	S 00°39'53" W	1°16'27"	



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03/01/22	B72822.02	

THE VILLAGE AT WATERFORD
SUBDIVISION, PHASE 4, Q
 S.C. 20 T. 16 N. R. 37 E.
 OPELIE, LEE COUNTY, ALABAMA
 SCALE: 1"=50'
 ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
 ALABAMA CERT. OF AUTH. CA. NO. 922



2805

AGENDA ITEM # _____

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



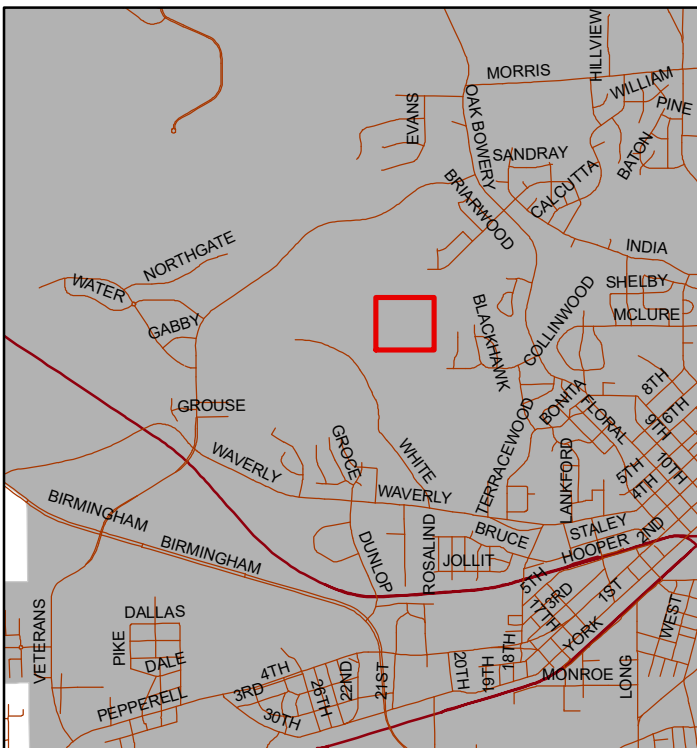
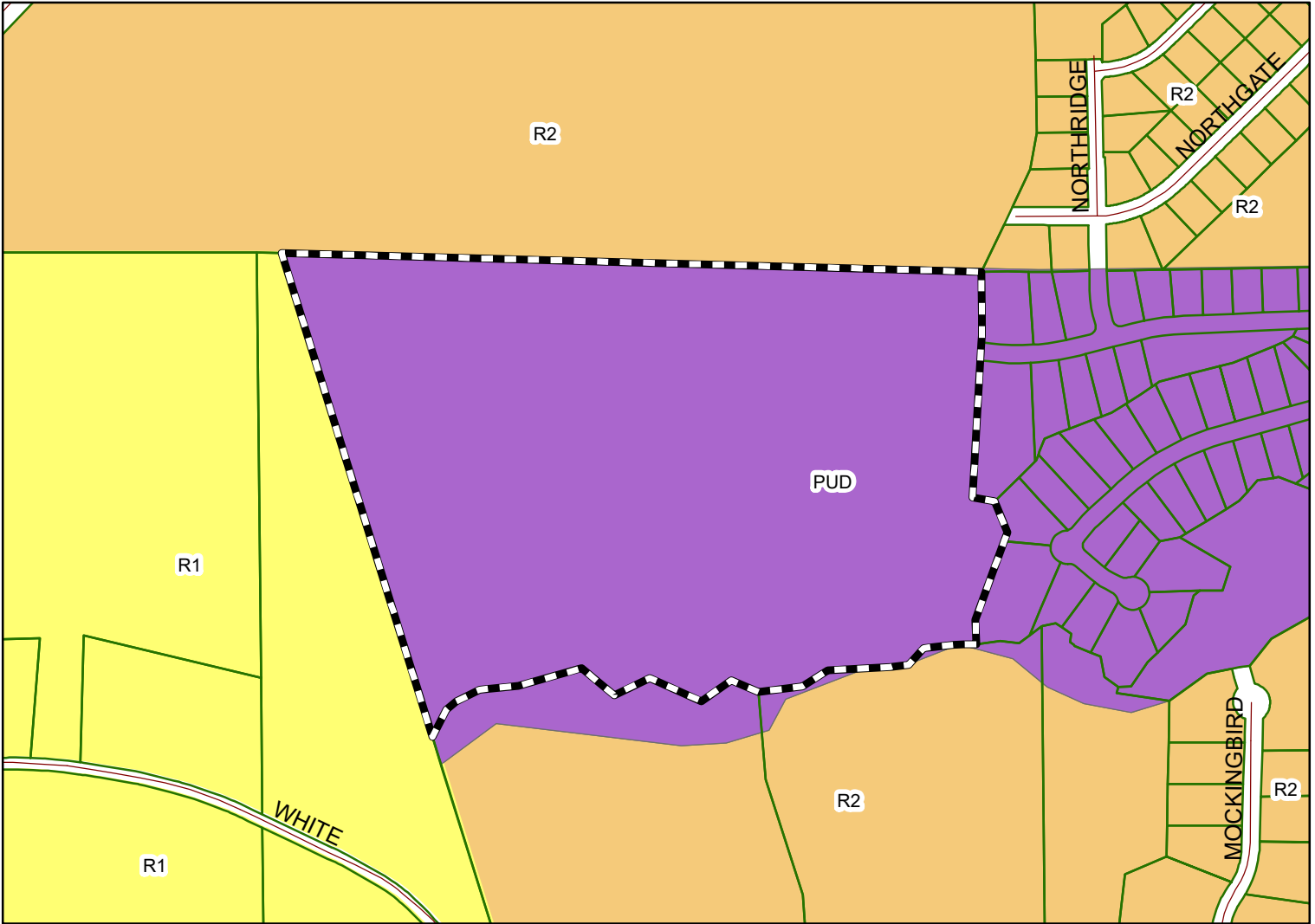
DEADLINE: 3/1/22 MEETING: 3/22/22

SITE ADDRESS: <u>Canon Gate Drive</u>	
PROPERTY OWNER: <u>SMB Land, LLC</u>	
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, Barrett-Simpson, Inc.</u>	
MAILING ADDRESS: <u>223 South 9th St. Opelika, AL 36801</u>	
PHONE NUMBER: <u>334-745-7026</u>	FAX NUMBER: <u>334-745-4367</u>
EMAIL ADDRESS: <u>brice@barrett-simpson.com</u>	
TYPE OF PLAT APPROVAL REQUESTED	
☐ SKETCH PLAN	☐ ADMINISTRATIVE
☐ PRELIMINARY	☒ FINAL
Does the subdivision require any other official action by the City? <u>No</u>	
☐ Annexation	☐ Rezoning
☐ Other _____	
PARCEL INFORMATION	
Subdivision Name: <u>Cannon Gate, Phase 3A</u>	Number of Lots: <u>25</u> x \$3.00 = \$ <u>N/A</u>
Current Land Use: <u>Vacant</u>	Number of APO: <u>4</u> x \$7.00 = \$ <u>N/A</u> (Adjacent Property Owners)
Current Zoning: <u>PUD</u>	Fee: <u>\$75.00</u>
Proposed use of the Subdivision: <u>Single-family Residential</u>	TOTAL = <u>\$75.00</u>
☒ Residential	☐ Commercial
☐ Manufacturing/Industrial	☐ Office/Institutional
PAID _____	
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Cannon Gate, Phase 3A</u> Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.	
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: <u>Blake Rice</u>	
(PRINT NAME) <u>Blake Rice, Barrett-Simpson, Inc.</u>	
3/1/22	
DATE	

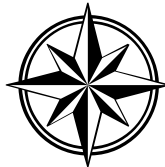
CANNON GATE PHASE 3A SUBDIVISION

CANNON GATE DRIVE

FINAL APPROVAL, B-3



The applicant is requesting final approval for a 25 lot subdivision for single family home lots. The property is located in the 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: March 22, 2022

Subdivision: Cannon Gate SD, Phase 3A

Agenda Item #: B-3

Action Requested: Final Approval

Location of Property: Cannon Gate Drive

Property Owner(s): Cannon Timber and Land, LLC.,
Blake Rice, Barrett-Simpson, Inc., Authorized Representative

Current Land Use: Undeveloped

Current Zoning: PUD

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0066G Southern portion of property located in Flood Zone AE – 1% chance of flooding for which BFEs have been determined. Zone AE Floodway also shown on plat. Remaining area is Zone X – outside the 0.2% annual chance of floodplain

Staff Comments:

At the April 2020 meeting, the Planning Commission granted preliminary approval for an 85-lot subdivision - 81 residential lots and four open space lots. The applicant is now requesting final plat approval for 25 of the 85 lots : 22 lots are for single family homes and 3 lots ‘greenspace & detention’ areas (the three lots equal 26.2 acres). A note is on final plat that the Homeowners Association will be maintaining the greenspace & detention lots.

The 22 residential lots range in size from 13,500 square feet (sf) to 19,535 square feet meeting the lot area range of 10,358 sf to 36,272 sf for single family home lots. This lot area range was approved by City Council (Ord. #012-20) after Planning Commission’s review and approval of a Master Plan amendment at the April 2020 meeting. Most lot widths are 90 feet or wider; four lots along a curve on Everly Drive are 68 feet wide; at the 25’ minimum setback line these four lots are about 75’ wide. The minimum setbacks are 25 feet in the front and rear yard, and 7 feet on each side. These minimum setbacks are the same as provided on the approved master plan. Underground utilities and sidewalks required on at least one side of street.

(During the April 2020 preliminary plat review, a stub-out street that connects to the adjacent properties on the north and west side was approved. The stub-out street should be added in the next phase.)

Staff Recommendation: Staff recommends final plat approval subject to the following:

1. The developer is shown as Cannon Timber & Land, LLC but the Dedication states that the owner is SMB Land, LLC. Revise as necessary for clarity.
2. Add record courses & distances for comparison if appropriate
3. Revise the subtitle to read "... Range 26 East ..." (change "6" to "26")
4. Add 20 foot sanitary sewer easements along the side lot lines shared by Lot 80 & 81 and Lot 82 & 83 (easement 10 feet on each lot - as shown on Construction Plan, 11-5-2020)
5. Add the minimum building setbacks on the plat or as a note (property in a PUD zoning district).
6. Sidewalks are required on least one side of all streets.
7. All utilities must be underground.

Engineer's 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 **will need to be** submitted.
- Maintenance Bond of 25% of the estimated total infrastructure cost will **will need to be** submitted.
- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file **will need to be** submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots **have been** graded, and stabilized with seed and mulch, and other erosion/sediment control items 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

The water system will need to be tested and inspected before final approval.

Opelika Power Services

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

NOTES

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey:
-Cannon Gate Subdivision Redivision of Parcel B Phase 1, Plat Book 42, Page 167, Probate Office, Lee County, Alabama.
-Cannon Gate Subdivision Redivision of Parcel B "Future Development", Plat Book 44, Page 134, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0066G, effective November 02, 2011, the subject property is located:
-Zone X (Not Shaded) - Areas determined to be outside the 0.2% annual chance of floodplain.
-Zone AE - Areas determined to be in the 1% annual chance flood (100-year flood), Base Flood Elevations determined.
-Zone AE Floodway - The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increase on flood height.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There is a ten (10) foot drainage and utility easement along the right-of-way of each lot.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
-Total Number of Lots: 25
-Largest Lot: Lot 85 - 29.84 Acres (1,299,955 Sq Ft.)
-Smallest Lot: Lots 71, 72, & 73 - 0.31 Acres (13,500 Sq Ft.)
-66.71 Acres Total (2,906,018 Sq Ft.)
-Lots 1, 9 & 70 are non-buildable lots.

JRSC Holdings LLC
PO Box 3857
Opelika, AL 36803

FINAL PLAT OF

CANNON GATE

Phase 3A

A Redivision of Parcel 3 of Cannon Gate Subdivision
Redivision of Parcel B "Future Development", Plat Book 44, Page 134, Probate
Office, Lee County, Alabama

Being A Part of Section 2, Township 19 North, Range 6 East,
Opelika, Lee County, Alabama

Any Greenspace & Detention Lots shown on this plat shall be maintained
by the Homeowners Association adopted and/or established with this plat.

INSET MAP
NOT TO SCALE

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	31.38'	211.00'	N85° 43' 39"W	31.35'
C2	2.96'	211.00'	S89° 36' 40"W	2.96'
C3(t)	34.33'	211.00'	N86° 07' 44"W	34.29'
C4	24.57'	151.00'	S86° 07' 44"E	24.54'
C5	23.56'	15.00'	S36° 28' 04"E	21.21'
C6	7.66'	156.00'	S09° 46' 37"W	7.66'
C7	213.73'	156.00'	S50° 25' 58"W	197.40'
C8(t)	221.33'	156.00'	N49° 02' 12"E	203.23'
C9	29.73'	55.00'	S72° 05' 29"W	29.37'
C10	52.98'	55.00'	S29° 00' 28"W	50.96'
C11	55.02'	55.00'	S27° 14' 56"E	52.76'
C12	105.91'	55.00'	N68° 55' 36"E	90.29'
C13(t)	243.65'	55.00'	S39° 19' 45"E	87.96'
C14	31.77'	25.00'	N50° 09' 51"E	29.67'
C15	69.54'	206.00'	N76° 53' 42"E	69.21'
C16	67.87'	206.00'	N57° 47' 10"E	67.56'
C17	67.86'	206.00'	N38° 54' 40"E	67.55'
C18	66.99'	206.00'	N20° 09' 28"E	66.70'
C19	8.81'	206.00'	N09° 36' 59"E	8.81'
C20(t)	281.07'	206.00'	N47° 28' 43"E	259.77'
C21	23.56'	15.00'	N53° 31' 56"E	21.21'

Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	107.37'	S26° 08' 23"W	L9	75.93'	S41° 12' 07"W
L2	42.22'	S49° 49' 14"W	L10	101.00'	S83° 43' 53"W
L3	85.94'	S61° 59' 16"W	L11	78.29'	S88° 53' 54"W
L4	128.36'	S83° 45' 51"W	L12	81.34'	S02° 20' 38"E
L5	119.96'	S54° 18' 14"W	L13	30.87'	S20° 01' 32"W
L6	97.47'	N68° 12' 36"W	L14	112.02'	S22° 22' 32"E
L7	102.27'	S57° 16' 30"W	L15	74.47'	S80° 11' 59"E
L8	62.71'	N84° 20' 09"W	L16	60.00'	S00° 23' 46"W

Lot Table			Lot Table		
Lot #	Acres	Square Footage	Lot #	Acres	Square Footage
1	0.51	22,074	74	0.32	13,987
2	0.45	19,535	75	0.37	15,931
3	0.42	18,393	76	0.46	20,099
4	0.40	17,251	77	0.39	17,055
5	0.39	17,181	78	0.96	41,749
6	0.39	16,843	79	0.63	27,310
7	0.37	15,919	80	0.34	14,747
8	0.37	16,032	81	0.34	14,738
9	0.57	24,922	82	0.34	14,737
70	25.16	1,096,135	83	0.34	14,963
71	0.31	13,500	84	0.51	21,999
72	0.31	13,500	85	29.84	1,299,955
73	0.31	13,500			

DEDICATION

I, Nick Howard, as Chief Financial Officer of SMB Land, LLC, an Alabama limited liability company, and the owners of said lands surveyed by Barrett-Simpson, Inc., do hereby certify that title was and is vested in said owners and join in the foregoing statement made by said Barrett-Simpson, Inc., and stated in Code of Alabama 1975, § 35-2-50 et seq., do hereby certify that it was and is my intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

Nick Howard
Chief Financial Officer

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the date of this notary acknowledgement.

Given under my hand this the ____ day of _____, 2022.

(Seal)
Notary Public
My Commission Expires _____

OPELIKA CERTIFICATES

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

Chairman: _____ Date: _____

Accepted by the Opelika City Planner, Opelika, Alabama:

Planner: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

City Engineer: _____ Date: _____

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

Public Works Director: _____ Date: _____

Accepted by the Opelika Utilities, Opelika, Alabama:

Opelika Utilities: _____ Date: _____

Accepted by the Opelika Power Services, Opelika, Alabama:

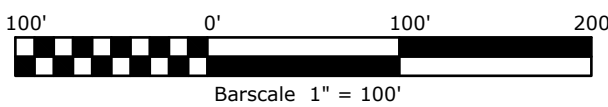
Opelika Power Services: _____ Date: _____

SURVEYOR'S CERTIFICATE

I, Jonathan A. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Alabama Surveying and Mapping Act of 1997, and to the best of my knowledge, information, and belief.

Date: 02/28/2022

Jonathan A. Ham, PLS
Alabama License No. 34761



LAND SURVEYOR

Jonathan A. Ham
Ala. Reg. PLS No. 34761
Barrett-Simpson, Inc.
223 South 9th Street
Opelika, AL 36801

DEVELOPER

Cannon Timber & Land, LLC
715 Ave A Ste 200
Opelika, AL 36801

BARRETT-SIMPSON, INC.
Engineers & Land Surveyors
706 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, BUFFALO, AL 36007 (PH 334-687-4257, FAX 334-687-4800)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)

PROJECT NO: 19-0254
SCALE: 1" = 100'

FIELD BY: APD/MER
DRAWN BY: MCH/BES

FIELD DATE: 02/22/2022
DRAW DATE: 02/28/2022

2804

AGENDA ITEM # _____

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 03/01/22 PC MEETING: 03/22/2022

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.MAILING ADDRESS: 223 South 9th Street; Opelika, AL 36801PHONE NUMBER: (334) 745-7026 Email: brice@barrett-simpson.com**PARCEL INFORMATION**Site Address: Knight & Lott Property - Frederick RoadDescription of proposed use: This parcel will be developed for an office use at the front of the property, with warehouse/office buildings at the rear of the property.Tax Parcel Number: 43-09-06-23-1-000-016.000Adjacent Zoning Districts: North: R4 South: C2; GC-P East: C2; GC-P West: R4; GC-PCurrent Land Use: VacantCurrent Zoning: R4-M; GC-PProposed Zoning: C2; GC-PNumber of APO: 6 x \$7.00 = \$ 42
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = \$167.00PAID: ck# 25198

I hereby request my property located at (street address) Knight & Lott Property - Frederick Road,
 Tax Map parcel number 43-09-06-23-1-000-016.000 be rezoned from
R4-M / GC-P to C2 / GC-P. 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.

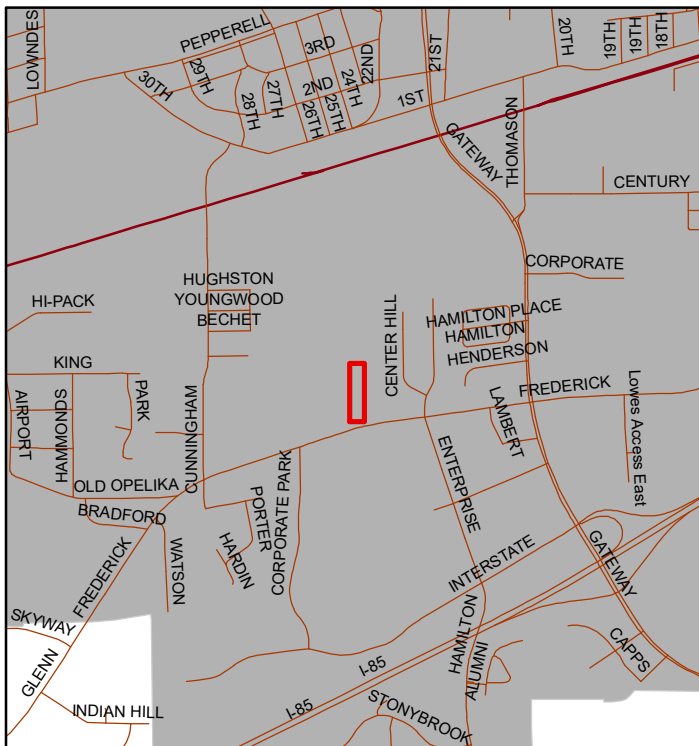
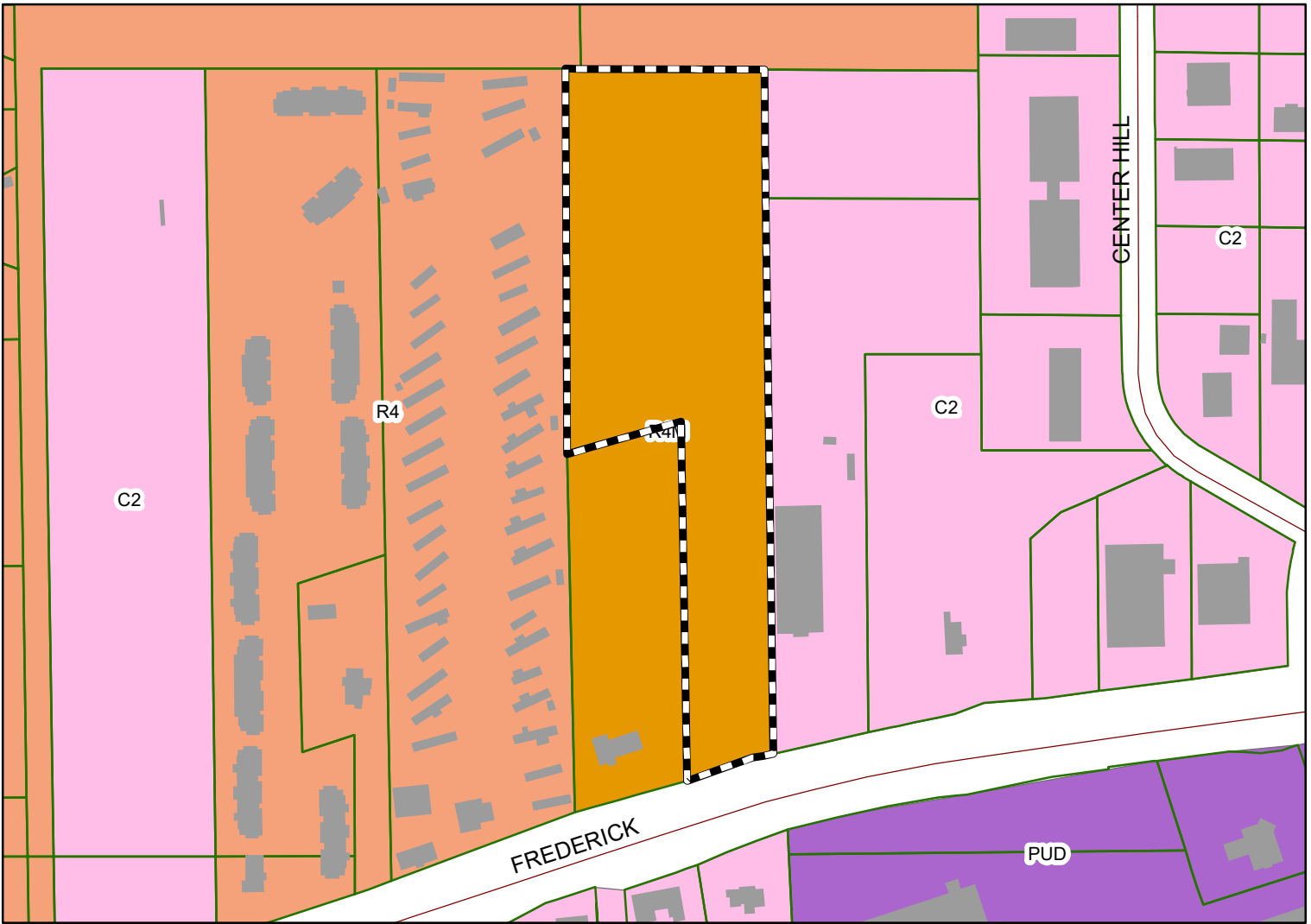
OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

03/01/2022

(PRINT NAME) M. Blake Rice

DATE

FREDERICK ROAD SALES CENTER FREDERICK ROAD OFFICE-WAREHOUSE, C-4,5



The applicant is requesting approval to construct a three-building office warehouse development. The property is in a C-2, 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: March 22, 2022

Agenda Item #: C-4

Action Requested: Rezoning – 7 acres from R-4 to C-2, GC-P

Property Owner(s): Blake Rice, Barrett-Simpson, Inc. authorized representative
Shey & Terri Knight and Walter & Theresa Lott, owners

Current Zoning: R-4M (medium density residential)

Proposed Zoning: C-2, GC-P (Office Retail, Gateway Corridor- Primary Overlay District)

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Undeveloped
South	C-2, GC-P	Residential
East	C-2, GC-P	Store Room Fastener
West	R-4, GC-P	Residential

Rezoning:

The applicants are requesting rezoning seven (7) acres from a R-4M (medium density residential) zoning district to C-2, GC-P (Office Retail, Gateway Corridor- Primary Overlay District) zoning districts. This property along Frederick Road is undeveloped and located between a single-family residence and the Store Room Fastener business. An administrative subdivision dividing this property into two lots (Lot 1 is 1.19 acres and Lot 2 is 5.81 acres) and a conditional use request for Lot 1 have been submitted for this property.

The area of Frederick Road between Gateway Drive and the Auburn-Opelika city limits in the last 12 years or more has been in transition from residential uses to commercial uses. The comprehensive plan includes the Future Land Use Map to guide future zoning for Opelika. The requested zoning from R-4M to C-2, GC-P is supported by the designation of C-2 (light commercial designation) on the Future Land Use Map. The C-2, GC-P zoning designations will be consistent with the neighboring properties to the south, east, and along with many other properties on this portion of Frederick Road. The transitioning from residential to commercial uses reflects the ongoing commercial growth along this section of Frederick Road.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from R-4M to C-2, GC-P

Engineering Department Report

Engineering Department has no comments or concerns with the proposed rezoning request.

Opelika Utilities Board Report

Water service is accessible by a water main in the R.O.W. of Frederick Road.

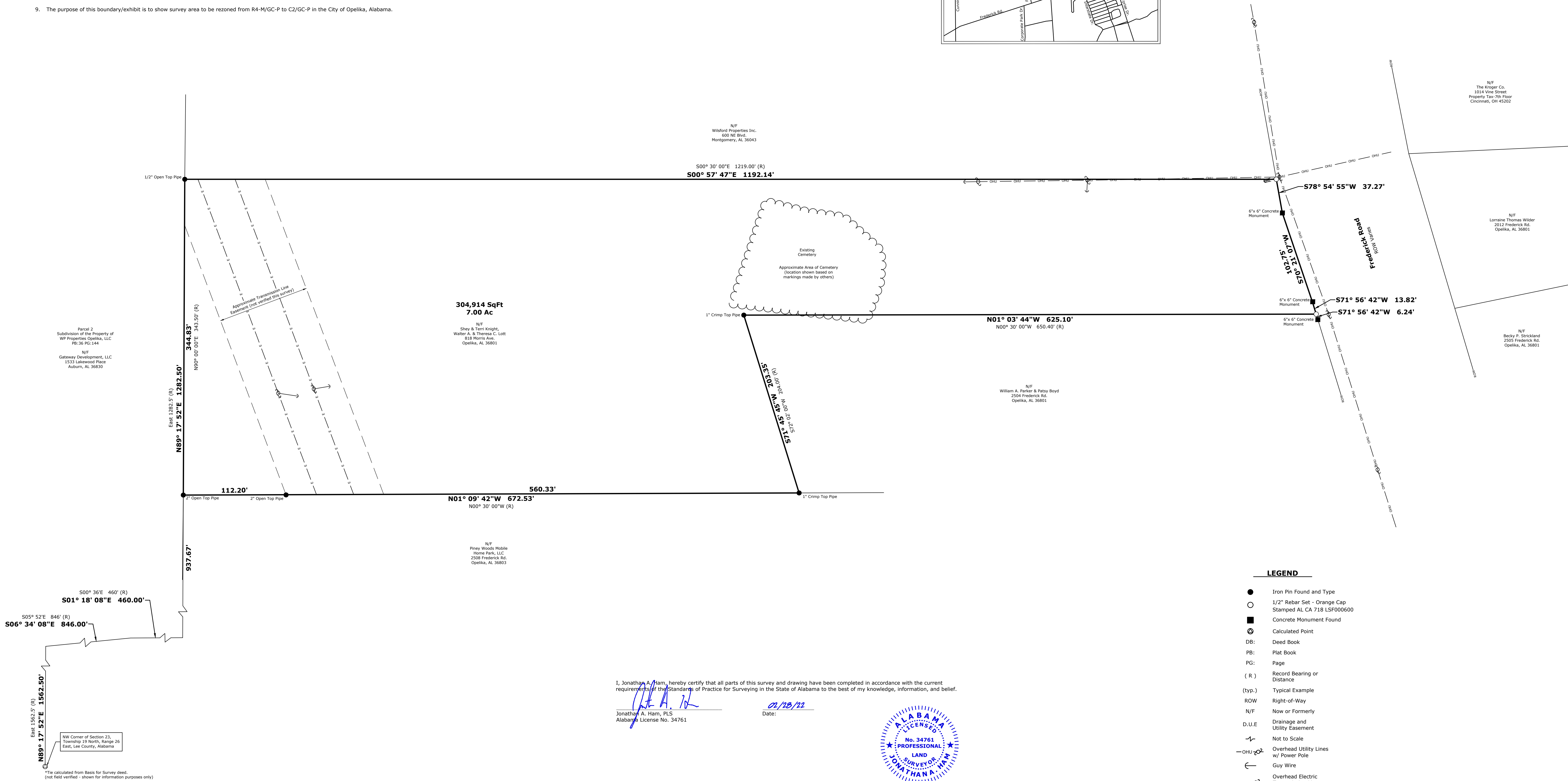
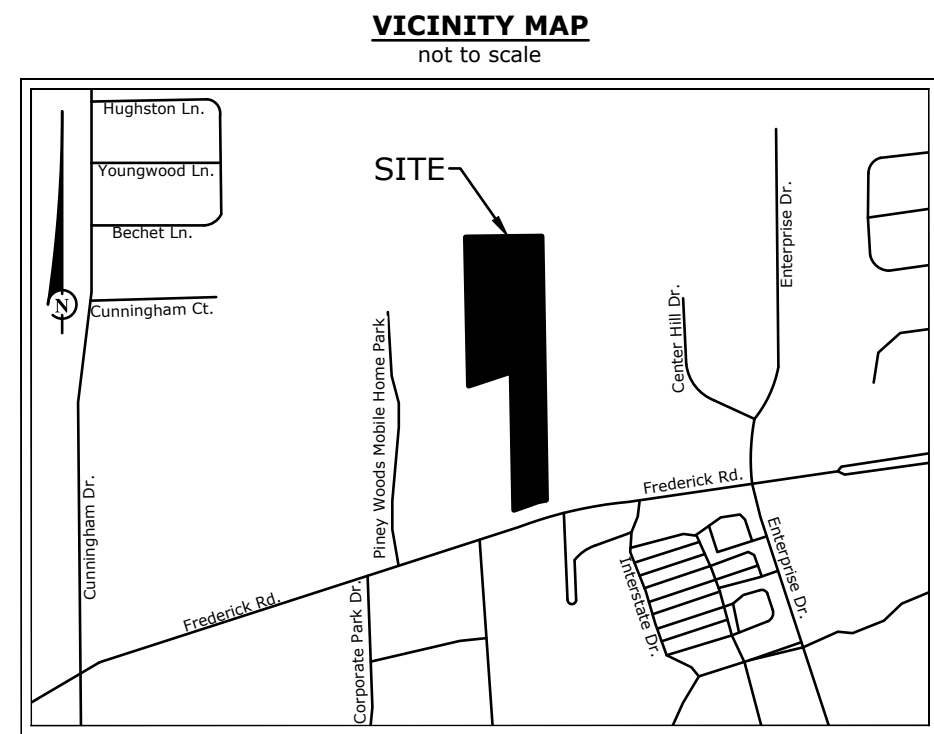
Opelika Power Services Report

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

BOUNDARY SURVEY / REZONING EXHIBIT
**KNIGHT & LOTT PROPERTY -
FREDERICK ROAD**
BEING A PART OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA

NOTES:

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT CORS as reference.
- Basis for Survey:
 - Deed Book 2324, Page 697, Probate Office, Lee County, Alabama.
- Other Sources for Survey:
 - ROW Map for Frederick Road Project STPOA-9025(3)
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0206G, effective November 2, 2011, the subject property is located:
 - Zone X (no shading) (areas determined to be outside the 0.2% annual chance of floodplain).
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc. that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- The purpose of this boundary/exhibit is to show survey area to be rezoned from R4-M/GC-P to C2/GC-P in the City of Opelika, Alabama.



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

Jonathan A. Ham, PLS
Alabama License No. 34761

Date: 01/18/22



LEGEND

- Iron Pin Found and Type
- 1/2" Rebar Set - Orange Cap
- Stamped AL CA 718 LSP000600
- Concrete Monument Found
- ⊙ Calculated Point
- DB: Deed Book
- PB: Plat Book
- PG: Page
- (R) Record Bearing or Distance
- (typ.) Typical Example
- ROW Right-of-Way
- N/F Now or Formerly
- D.U.E Drainage and Utility Easement
- Not to Scale
- OHU— Overhead Utility Lines w/ Power Pole
- E— Overhead Electric Transmission Lines w/ Power Pole

2803

AGENDA ITEM # _____



**APPLICATION FOR
CONDITIONAL USE APPROVAL
PLANNING DEPARTMENT**

**700 FOX TRAIL
OPELIKA, AL 36801**

PC DEADLINE: 03/01/2022 PC MEETING: 03/22/2022

PROJECT NAME: Frederick Road Sales Center
SITE ADDRESS: Frederick Road (Parcel ID 43-09-06-23-1-000-016.000)
PROPERTY OWNER: Shey & Terri Knight

APPLICANT/ AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.
MAILING ADDRESS: 223 South 9th Street; Opelika, AL 36801
PHONE NUMBER: (334) 745-7026 **FAX NUMBER:** _____
EMAIL ADDRESS: brice@barrett-simpson.com

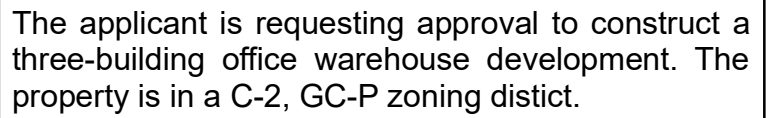
PARCEL INFORMATION

Current Land Use: Vacant **Current Zoning:** C2; GC-P
Description of Proposed Use: Office (Permitted); Warehouse (Conditional)
Adjacent Zoning Districts: North: R4 South: C2; GC-P East: C2; GC-P West: R4; GC-P

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.

OFFICE-WAREHOUSE, C-4,5



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item #: C-5

Action Requested: Conditional Use – Office Showroom Building and Two Office Warehouse Buildings (7 units)

Location of Property: 2500 block of Frederick Road

Property Owner(s): Blake Rice, Barrett-Simpson, Inc. authorized representative
Shey & Terri Knight and Walter & Theresa Lott, owners

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P (pending rezoning)

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Undeveloped (proposed C-2, GC-P rezone)
South	C-2, GC-P	Residential
East	C-2, GC-P	Store Room Fastener
West	R-4, GC-P	Residential

Proposal

The applicant is requesting conditional use approval to construct a commercial building for the BC Stone offices with a showroom and two (2) office warehouse use buildings containing seven (7) unit's total. BC Stone specializes in residential home building and the office warehouse units will be for lease. The business desires to locate at the 2500 block of Frederick Road subject to approval of an administrative subdivision plat creating a 1.16 acres lot and a rezoning request from R-4M to C-2, GC-P. The applicant's representative stated nothing will be stored outside the office showroom building or the office warehouse units. The office showroom use is an allowed use in the C-2, GC-P zoning district. The office warehouse units use does require a conditional use approval in the C-2, GC-P zoning district.

The BC Stone office and showroom is shown with 12 parking spaces including one handicap space. The minimum off-street parking is 11 parking spaces including one handicap space. The applicant has a shared easement for ingress, egress, and utilities along the property line on the east. The ingress and egress are part of Lot 2 but will be shared for Lots 1 and 2 due to the configuration of the existing lot and cemetery area.

The office warehouse units consist of two (2) buildings. The middle building shown as Building #1 consist of three (3) units each containing: one 200 sf office area, one roll up door, 1,600 sf warehouse

area, and five (5) shared parking spaces (including one handicap space). The end building shown as Building #2 consist of four (4) units each containing: one 200 sf office area, one roll up door, 1,600 sf of warehouse area, and six (6) shared parking spaces (including one handicap space). The roll up door loading areas could also serve as additional parking when not in active use. The minimum parking requirements for Building #1 and Building #2 equal 11 spaces (based on 1 parking space per 250 sf of office and 1 parking space per 4,000 sf of warehouse space). The warehouse office units for lease will be required to be approved individually for business licenses and meet all requirements with no outside storage allowed. Future uses may require additional conditional use approvals and shall meet the requirements of the zoning district and site availability.

The applicant's representative presented photos and elevations for the BC Stone building in the front. The BC Stone building exterior walls will consist of brick materials with canvas awnings and metal goose neck lighting over signage as shown in the exhibits attached. At this time no exterior elevations have been submitted for the two (2) office warehouse buildings. The authorized representative stated they are working on providing this. The authorized applicant stated Buildings #1 and #2 the office warehouse units' exterior walls will consist of brick veneer on all four (4) sides, with a metal roof. The brick and trim color will match the main building. All three (3) building elevation descriptions meet the exterior material requirements in the Gateway Corridor.

The applicant's representative submitted a basic landscape plan for this site. The landscape minimum point requirements for this site of 64,358 sf are 149 base points plus 23 parking points. This plan provides 151 base points and 27 parking points. A parking lot buffer is required for this property. Due to the configuration of the lots, parking, and buildings the parking lot buffer will need to be placed on the edge of the development on the east side of Lot 2 on the outer edge of the shared easement and paved area for both Lots 1 and 2. This buffer should comply with Section 10.6. D. 2. This property abuts a residential zone. A residential zone landscape buffer is required on the west property line. Staff recommends a 15-foot residential landscape buffer required along west property line that is equivalent to the buffer provided in Section 10.6. D. 1. a. of the Landscape Regulations. The authorized representative stated Bryan Stone will only be purchasing and developing Lot 1, and a buffer was left between the cemetery and the proposed lot line. This will ensure that the gravesites are not damaged.

A private dumpster for this development is shown on the site plan. This will need to be screened with a dumpster enclosure located behind the front plane of the building and be screened by approved corridor materials. In addition, 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. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by the relevant utility company for safety.

The proposed outside lighting must not exceed one (1) foot-candle at a property line. The applicant's representative is aware that the brightness of outdoor lighting must not exceed one (1) foot-candle at a property line. Outside lights for nonresidential properties/uses must be made up of a light source and reflector so that acting together, the light beam is controlled and not directed across an adjacent property. It is the intent of this provision to prevent light from spilling over to adjacent properties in amount that can created negative impacts (See Section 7.6 Gateway Corridor Overlay District, 6, a). Lighting Requirements)

Staff recommends conditional use approval subject to the following:

- 1. Approval of the Rezoning by City Council from R-4 to C-2, GC-P.**
- 2. Approval of the Administrative Subdivision.**
- 3. Exterior elevations and building materials for the two (2) office warehouse buildings be provided and approved to meet all Gateway Corridor standards.**
- 4. Add to the Landscape Plan the parking lot buffer detailed in the report for approval to meet Gateway Corridor standards.**
- 5. Add to the Landscape Plan a 15-foot residential buffer along the west side of the property provided by Section 10.6.D.1.a.**
- 6. The office warehouse units for lease will be required to be approved individually for business licenses and meet all requirements with no outside storage allowed. Future uses may require additional conditional use approvals and must be fitting to the use requirements of the zoning district and site availability.**
- 7. Outdoor lighting must not exceed one (1) foot candle at the property line to the south and west. Outside lights for nonresidential properties/uses must be made up of a light source and reflector so that acting together, the light beam is controlled and not directed across an adjacent property. It is the intent of this provision to prevent light from spilling over to adjacent properties in amount that can create negative impacts (See Section 7.6 Gateway Corridor Overlay District, 6, a). Lighting Requirements).**
- 8. If fencing is ever installed the property owner must meet the gateway corridor regulations in Section 7.6 of the Zoning Ordinance.**
- 9. Dumpster areas must be enclosed and screened with a dumpster enclosure located behind the front plane of the building and be screened by approved corridor materials.**
- 10. 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. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by relevant utility company for safety.**





 Call Now - 800-368-6666 Website - www.bostonstonehomes.com Email - info@bostonstonehomes.com Fax - 617-552-3333	BC Stone Homes, LLC 1000 Beacon Street, Suite 100 Boston, MA 02116 Tel: 617-552-3333 Fax: 617-552-3333 Email: info@bostonstonehomes.com	Social: 100-0-0-0-0 (Company) (Home) (Mobile) (Area) (Country) (Zip) (City) (State) (Zip)	Website: www.bostonstonehomes.com Email: info@bostonstonehomes.com Phone: () () () () () () Fax: () () () () () ()	FIRM 62-1000000
	BC Stone Homes, LLC 1000 Beacon Street, Suite 100 Boston, MA 02116 Tel: 617-552-3333 Fax: 617-552-3333 Email: info@bostonstonehomes.com	Social: 100-0-0-0-0 (Company) (Home) (Mobile) (Area) (Country) (Zip) (City) (State) (Zip)	Website: www.bostonstonehomes.com Email: info@bostonstonehomes.com Phone: () () () () () () Fax: () () () () () ()	FIRM 62-1000000

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 proposed conditional use application.

Opelika Utilities Board Report

No comment.

Opelika Power Services Report

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

Drawing Name: A:\2021\21-0381 BC Stone - Client Av Sales Center - Adam\DWG\21-0381 Site Plan.dwg Last Modified: Mar 14, 2022 - 11:02am by agram

43-09-06-23-4-000-006.000
LORRAINE THOMAS WILDER
2012 FREDERICK RD
OPELIKA, AL 36801

FREDERICK ROAD
(ROW VARIES)

EXISTING DIRT
DRIVEWAY TO
BE REMOVED

20' FRONT SETBACK

PROPOSED
OFFICE BUILDING
2,700± SF

5

7

20' SIDE SETBACK

20' SIDE SETBACK

PROPOSED
OFFICE / WAREHOUSE
BUILDING #1
5,400± SF

2

3

PROPOSED
OFFICE / WAREHOUSE
BUILDING #2
7,200± SF

3

3

20' REAR SETBACK

43-09-06-23-1-000-016.001
SHEY & TERRI KNIGHT (½ INT)
818 MORRIS AVE.
OPELIKA, AL 36801

Approximate Location
of Grave Sites

43-09-06-23-1-000-014.001
WILSFORD PROPERTIES INC.
600 NE BLVD
MONTGOMERY, AL 36043

●	SHRUB
✻	UNDERSTORY
⊗	MEDIUM
⊕	CANOPY

LANDSCAPE PROPOSED

	SHRUBS (1 pt)	UNDERSTORY (5 pts)	MEDIUM (8 pts)	CANOPY (11 pts)	TOTAL
BASE POINTS	56	25	48	22	151
PARKING POINTS	12	15	0	0	27
TOTAL LANDSCAPE	68	40	48	22	178

SITE INFORMATION

DEVELOPED AREA	64,358± SQ. FT.
BASE POINTS REQ'D	149
BASE POINTS PROVIDED	151
PARKING POINTS REQ'D	23
PARKING POINTS PROVIDED	27
TOTAL REQUIRED POINTS	172
TOTAL PROVIDED POINTS	178

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



VICINITY MAP
NOT TO SCALE

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th ST, PHOENIX CITY, AL 36868 (PH : 334-297-2423)
223 S. 9th ST, OPELIKA, AL 36801 (PH : 334-745-7026)
121 W. BROAD ST, EUFaula, AL 36072 (PH : 334-687-4257)



BC STONE

FREDERICK ROAD SALES
CENTER ~ OPELIKA

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PROPOSED
LANDSCAPE PLAN

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

DATE 01 MARCH 2022

PROJECT NUMBER 21-0381

SHEET NUMBER

C2

Drawing Name: A:\2021\21-0381 BC Stone - Glenn Av Sales Center - Adam\DWG\21-0381 Site Plan.dwg Last Modified: Feb 28, 2022 4:15pm by eirgram

43-09-06-23-4-000-006.000
LORRAINE THOMAS WILDER
2012 FREDERICK RD
OPELIKA, AL 36801

43-09-06-23-1-000-017.000
WILLIAM A & PATSY BOYD PARKER
2504 FREDERICK ROAD
OPELIKA, AL 36830

43-09-06-23-1-000-014.001
WILSFORD PROPERTIES INC.
600 NE BLVD
MONTGOMERY, AL 36043

43-09-06-23-1-000-016.001
SHEY & TERRI KNIGHT (1/2 INT)
818 MORRIS AVE.
OPELIKA, AL 36801



BARRETT-SIMPSON, INC.
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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, EUFaula, AL 36072 (PH: 334-687-4257)



BC STONE
FREDERICK ROAD SALES
CENTER ~ OPELIKA

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PROPOSED
SITE LAYOUT

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

DATE: 01 MARCH 2022

PROJECT NUMBER: 21-0381

SHEET NUMBER

C1

SITE INFORMATION

TOTAL PROPERTY: 51,728± SF
1.19 AC

EXISTING USE: VACANT
PROPOSED USE: OFFICE & OFFICE/WAREHOUSE
PROPOSED ISR: 0.62

TOTAL BUILDINGS: 1 OFFICE
2 OFFICE/WAREHOUSE

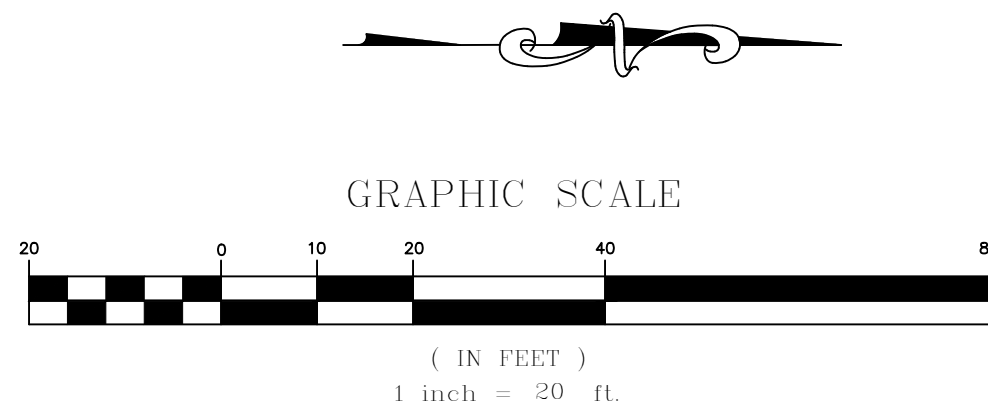
CURRENT ZONING: C-2/GC-P

SETBACKS:
FRONT 40'
REAR 20'
SIDE 20'

OFFICE BUILDING
PARKING REQUIRED: 12 SPACES PER UNIT
PARKING PROVIDED: 12 SPACES (1 ADA)

WAREHOUSE BUILDING #1
PARKING REQUIRED: 5 SPACES
Warehouse - 4,800 SF @ 1 space/4,000 SF
Office - 600 SF @ 1 space/250 SF
PARKING PROVIDED: 5 SPACES (1 ADA)

WAREHOUSE BUILDING #2
PARKING REQUIRED: 6 SPACES
Warehouse - 4,800 SF @ 1 space/4,000 SF
Office - 800 SF @ 1 space/250 SF
PARKING PROVIDED: 6 SPACES (1 ADA)







2798

AGENDA ITEM # _____

**APPLICATION FOR
CONDITIONAL USE APPROVAL
PLANNING DEPARTMENT**

**700 FOX TRAIL
OPELIKA, AL 36801**

PC DEADLINE: 3/1/22 PC MEETING: 3/22/22

PROJECT NAME: Intellivest
SITE ADDRESS: 284 Columbus Pkwy
PROPERTY OWNER: Intellivest, Inc

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

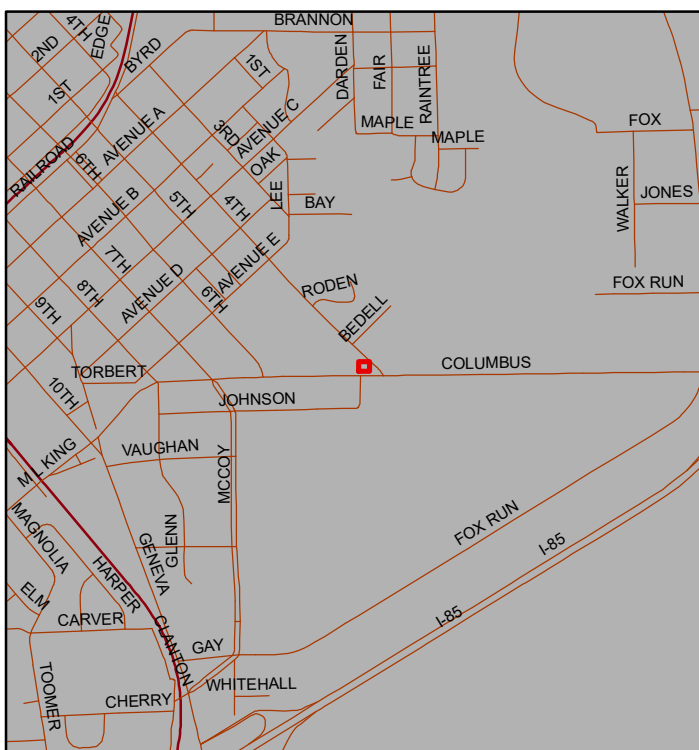
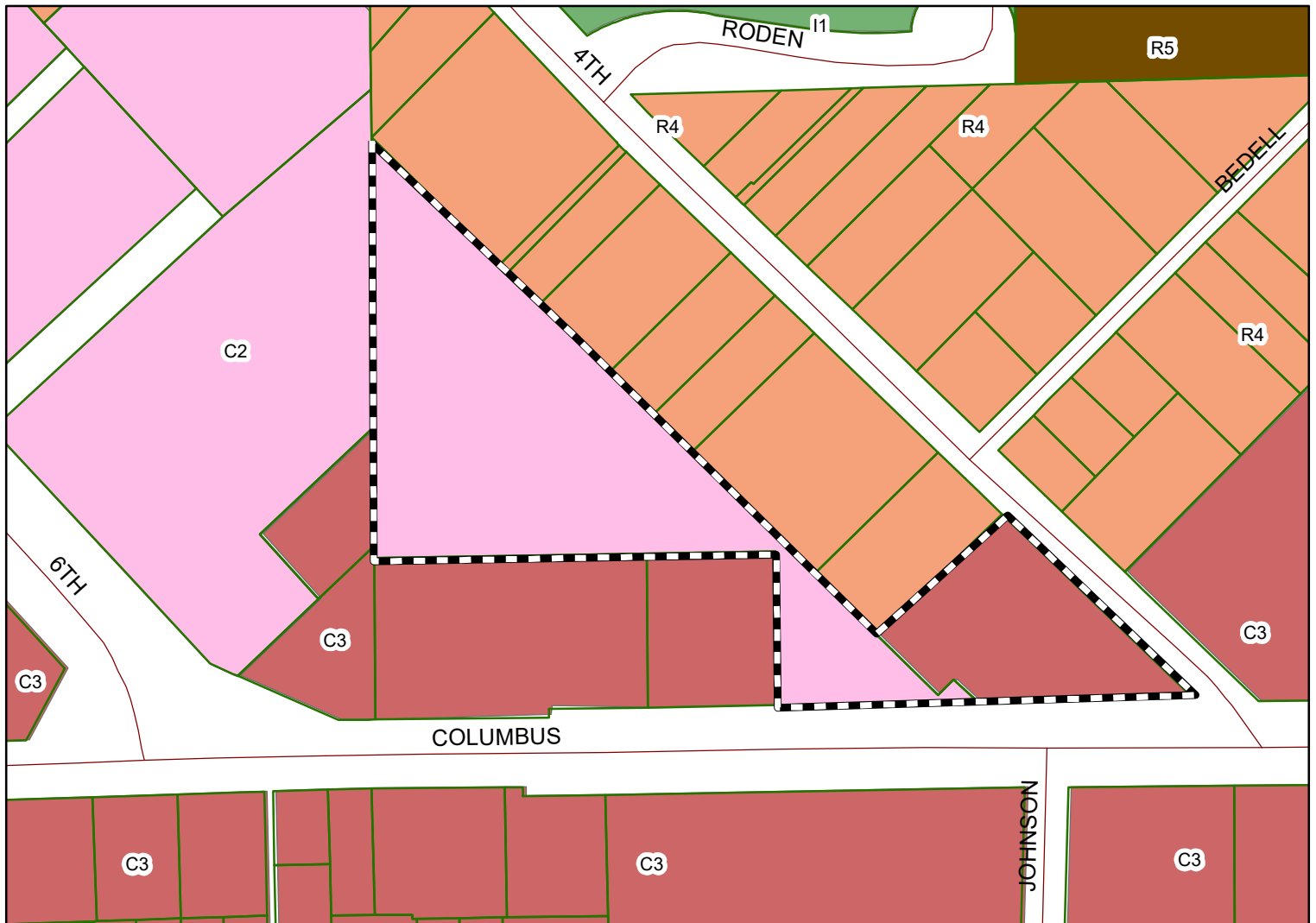
PARCEL INFORMATION

Current Land Use: Office and Parking Lot **Current Zoning:** C-2/C-3
Description of Proposed Use: Outdoor Display
Adjacent Zoning Districts: North: C-2/R-4 South: C-3 East: C-3/R-4 West: C-2/C-3

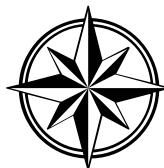
**READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION
8.17 CONDITIONAL USES; E. General Use Standards.**

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 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.

INTELLIVEST EVENT RENTALS 284 COLUMBUS PARKWAY OUTDOOR DISPLAY OF PRODUCTS, D-6



The applicant is requesting approval to display products outside 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: March 22, 2022

Agenda Item #: D-6

Action Requested: Conditional Use – Outside display of Rental Equipment

Location of Property: 284 Columbus Parkway (Columbus Parkway & 4th Avenue)

Property Owner: Intellivest LLC (William A. Curran III, Terry Ratliff et al)
Blake Rice, authorized representative

Current Zoning: C-3, GC-P

Existing Land Use: Vacant commercial building

**Surrounding Zoning Districts
And Land Uses:**

North	R-4	Single family home
South	C-2, GC-P	Commercial
East	C-3, GC-P	Commercial
West	C-3, GC-P	Undeveloped/commercial

Proposal

The applicant is requesting conditional use approval to display outside inflatable bouncy equipment (bounce houses for kids) in a C-3, GC-P zoning district. The property is on the corner of Columbus Parkway and 4th Avenue; a business has not occupied the property for over three years. The business provides event and party planning. The inflatable bouncy equipment is one of several rental items on the property and will be stored outside. Basic items such as tables, chairs and concession equipment are stored inside the building; for larger events with more supplies and equipment will be delivered to party location from the businesses warehouse in Columbus, Ga. In the Zoning Ordinance, a rental equipment business with supplies, equipment stored inside the building is allowed, but the display of products outside require conditional use approval. Two employees will manage the business.

The applicant's site plan provides an outside display of inflatable bounces to rent. The outside display area is about 4,300 square feet and setback 30 feet from the front and rear property lines. The applicant said depending on time of year either three to six inflatables will be setback from each other and inflated for display. Inflatables range in size from 15x15 to 15x60. The minimum 30 foot setback from Columbus Parkway and 4th Avenue is adequate, but the 4,300 sf display area with

three to six inflatables seems excessive and out of scale with the existing building and property. The outside display area is clearly visible to motorists on Columbus Parkway advertising the business has inflatable rentals. Staff recommends an outside display area with a maximum of two inflatables.

The site plan shows a 1,650 square foot existing building on a 40,495 square foot lot. The front yard area is about 100% asphalted from the building to the property lines along Columbus Parkway and 4th Avenue. In previous years, several automobile sales lots and a mobile home sales lot have occupied the property; vehicles displayed on asphalt. A business has not occupied the lot since 2018. The existing asphalt/concrete area was repaired, but over time declined; drainage problems also contributed to the asphalt's decline.

The applicant said the existing asphalt in front yard will be removed and replaced with new asphalt. During removal of old asphalt, a 10 foot pervious strip along Columbus Parkway and a 6 foot strip is provided for landscaping along the streets. The landscaping will break-up the expanse of asphalt and enhance this corner lot in the Gateway Corridor. The 8 off-street parking spaces shown on site plan is adequate for a rental equipment business.

The landscape plan meets minimum requirements concerning base and parking lot points. The size of trees and shrubs planted must meet the minimum size requirements as provided in Section X Landscape Regulation. A residential zoning district (R-4) is adjacent to the applicant's property along the north property line, and a residential buffer is provided as required on landscape plan. The buffer planted must be adequate size to provide a visual screen in three growing seasons. The buffer must comply with one of the options as provided in Section IX Landscape Regulations.¹ The property meets the maximum 70% impervious surface ratio allowed; about 30% of the property is impervious.

A dumpster is not shown on site plan., If dumpster installed it must be enclosed on all sides and gated. The enclosure must be an opaque fence on all sides and an opaque double gate.

-
- 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 residential buffer is shown along the north property line as required next to residential zoned property

Recommendations

Planning staff recommends approval subject to the following:

1. Remove the existing asphalt in the front yard area and replace with new asphalt.
2. Install landscaping as provided on landscape plan that includes providing a 10' buffer along Columbus Parkway and 6' buffer along 4th Avenue.
3. The parking spaces must be stripped including one parking space designated handicap accessible.
4. A maximum of two inflatable bounces are allowed for outside display in the outside display area provided on site plan. Outside displays are not allowed in other areas on the property.
5. Remove the existing freestanding sign in the right-of-way near the front property line. Installation of a proposed sign is subject to meeting Sign Regulations. Contact Planning.
6. If outside lighting is proposed a photometric plan must be submitted providing that light does not exceed 1.0 foot candle along the adjacent residential zoned properties.
7. If a dumpster is installed the dumpster must be enclosed with an opaque fence on all sides and an opaque gate installed; the fence and gate must be at a height, so the dumpster is not visible when viewed outside the fence.

Engineering Department Report

Because of the limited size of the site and disturbance, no site plan will be required for this use to the Engineering Department. All permits and approvals will come from the Building Inspections Department and relevant utilities.

The Engineering Department has no other comments or concerns with this conditional use application.

Opelika Utilities Board Report

No comment.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

Drawing Name: M-201-811-0171 Intellinvest - Columbus Pkwy & 4th St - Opeleka, AL 36801
Design File: C2 - 12-10-2022
Last Modified: Feb 28, 2022 - 12:44pm by kmc
C:\Users\kmc\OneDrive\Documents\Intellinvest - Columbus Pkwy & 4th St - Opeleka, AL 36801

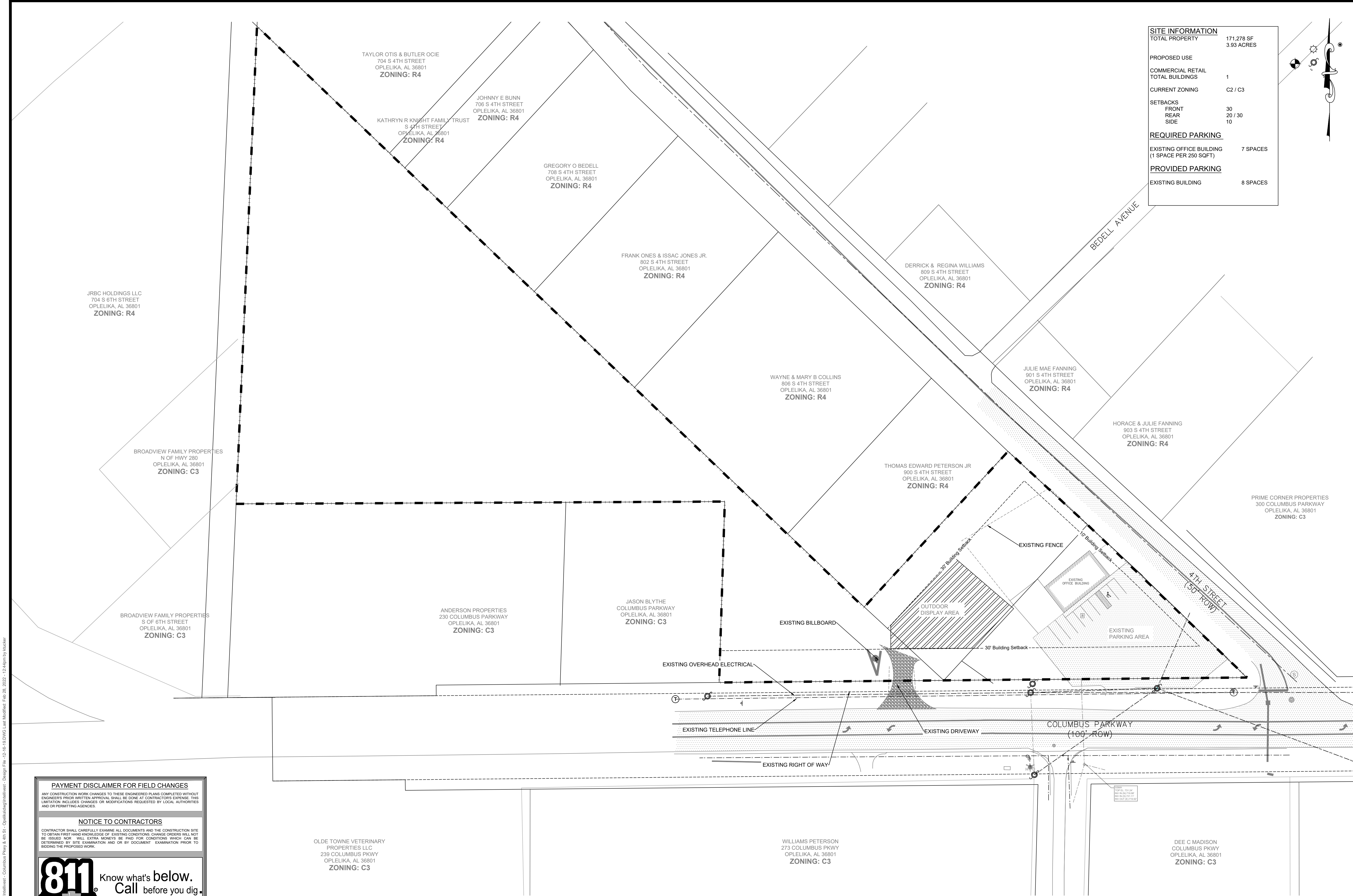
PAYMENT DISCLAIMER FOR FIELD CHANGES

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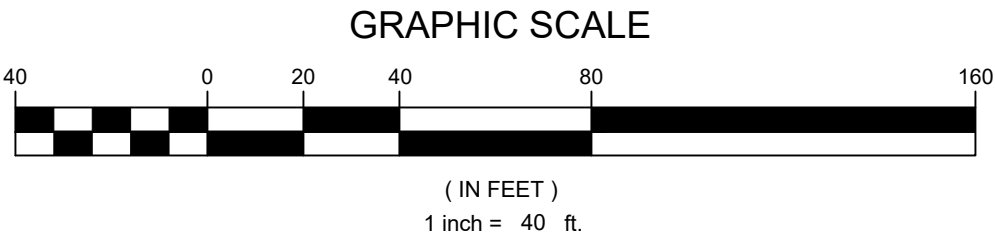
NOTICE TO CONTRACTORS

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 MONEYS BE PAID FOR CONDITIONS WHICH CAN BE DETERMINED BY SITE EXAMINATION AND OR BY DOCUMENT EXAMINATION PRIOR TO BIDDING THE PROPOSED WORK.

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



SITE INFORMATION	
TOTAL PROPERTY	171,278 SF 3.93 ACRES
PROPOSED USE	
COMMERCIAL RETAIL	
TOTAL BUILDINGS	1
CURRENT ZONING	C2 / C3
SETBACKS	
FRONT	30
REAR	20 / 30
SIDE	10
REQUIRED PARKING	
EXISTING OFFICE BUILDING (1 SPACE PER 250 SQFT)	7 SPACES
PROVIDED PARKING	
EXISTING BUILDING	8 SPACES



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th St. Phenix City, AL 36867 (PH: 334-297-2423)
223 S. 9th St. Opeleka, AL 36801 (PH: 334-745-7090)
121 W. Broad St. Eufraila, AL 36072 (PH: 334-487-4257)

REGISTERED PROFESSIONAL ENGINEER
No. 30447
CHRISTOPHER M. ROGERS

INTELLIVEST

OPELEKA, AL

REVISIONS:

1	

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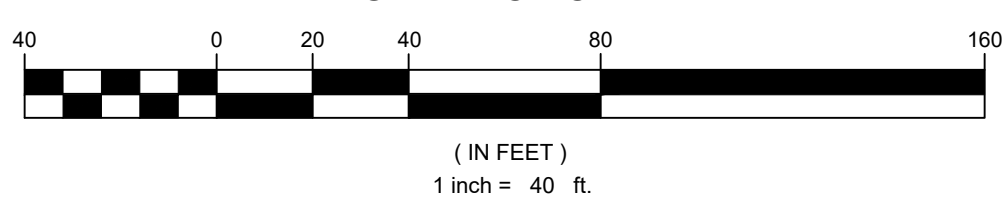
SITE PLAN

DRAWN BY: KWELOCH
DESIGNED BY: C. ROGERS
REVIEWED BY: C. ROGERS
APPROVED BY: T. SIMPSON

DATE: FEBRUARY 28 2022

PROJECT NUMBER: 18-0171

SHEET NUMBER: C1



PROPOSED PLANTINGS		
	SHRUB	39
	UNDERSTORY	90
	MEDIUM	0
	CANOPY	0

SITE INFORMATION	
<u>COMMERCIAL RETAIL:</u>	
DEVELOPED AREA	43,703± SQ. FT.
BASE POINTS REQ'D	120
BASE POINTS PROVIDED	121
PARKING POINTS REQ'D	8
PARKING POINTS PROVIDED	8
TOTAL REQUIRED POINTS	128
TOTAL PROVIDED POINTS	129

PAYMENT DISCLAIMER FOR FIELD CHANGES



INTELLIVEST

OPELIKA, AL

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LANDSCAPE PLAN

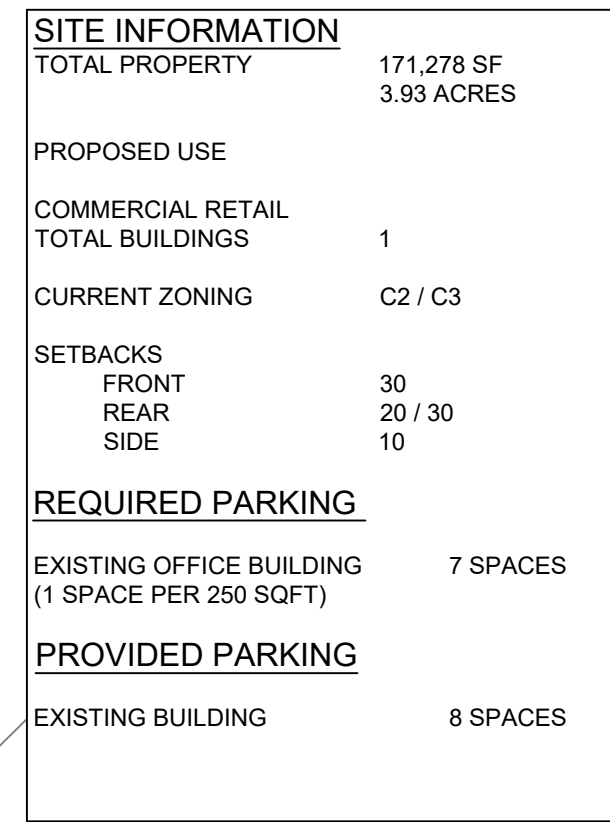
DRAWN BY: KWELCH
DESIGNED BY: C. ROGERS
REVIEWED BY: C. ROGERS
REVIEWED BY: T. SIMPSON
APPROVED BY: C. ROGERS

DATE FEBRUARY 28 2022

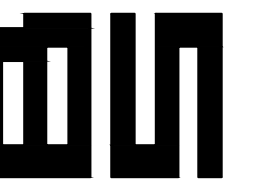
PROJECT NUMBER 18-0171

SHEET NUMBER 20

C2



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



INTELLIGES
OPELIKA, AL

REVISIONS:

3.14.22 ADDED
LANDSCAPE STRIP

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SITE PLAN

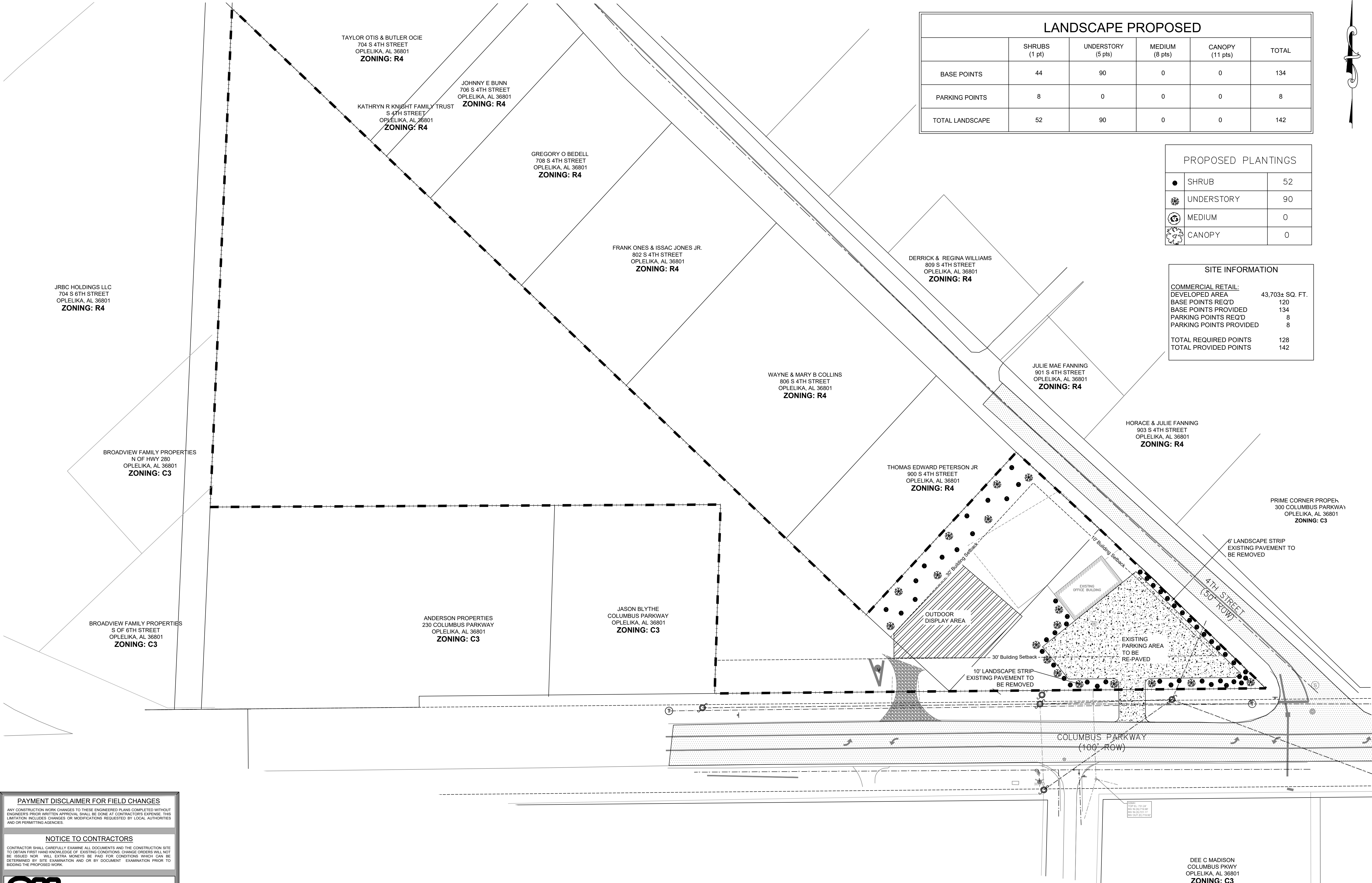
K.WELCH
BY: C. ROGERS
BY: C. ROGERS
BY: T. SIMPSON
BY: C. ROGERS

March 14 2022

18-017

ER

C1



LANDSCAPE PROPOSED					
	SHRUBS (1 pt)	UNDERSTORY (5 pts)	MEDIUM (8 pts)	CANOPY (11 pts)	TOTAL
BASE POINTS	44	90	0	0	134
PARKING POINTS	8	0	0	0	8
TOTAL LANDSCAPE	52	90	0	0	142

PROPOSED PLANTINGS		
●	SHRUB	52
✱	UNDERSTORY	90
⊙	MEDIUM	0
⊕	CANOPY	0

SITE INFORMATION	
COMMERCIAL RETAIL:	
DEVELOPED AREA	43,703± SQ. FT.
BASE POINTS REQ'D	120
BASE POINTS PROVIDED	134
PARKING POINTS REQ'D	8
PARKING POINTS PROVIDED	8
TOTAL REQUIRED POINTS	128
TOTAL PROVIDED POINTS	142

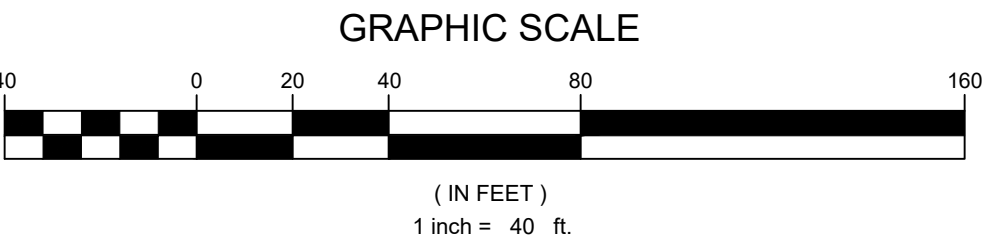
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121 W. BROAD ST. EUPAULA, AL 36802 (PH: 334-487-4257)

es

ALABAMA REGISTERED
3/14/22
No. 30447
PROFESSIONAL ENGINEER
CHRISTOPHER M. ROGERS

INTELLIVEST

OPELIKA, AL

REVISIONS:

1	3.14.22 ADDED LANDSCAPE STRIP

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LANDSCAPE PLAN

DRAWN BY: K.WELCH
DESIGNED BY: C. ROGERS
REVIEWED BY: C. ROGERS
REVIEWED BY: T. SIMPSON
APPROVED BY: C. ROGERS

DATE: March 14 2022

PROJECT NUMBER: 18-0171

SHEET NUMBER: C2

2797

AGENDA ITEM # _____



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

PC DEADLINE: 3/1/22 PC MEETING: 3/22/22

PROJECT NAME:	<u>Frederick Dean Crematory</u>		
SITE ADDRESS:	<u>PO Box 516, Birmingham, AL 35201</u>		
PROPERTY OWNER:	<u>Brown Service Funeral Homes Co</u>		
APPLICANT/ AUTHORIZED REPRESENTATIVE: <u>Blake Rice, Barrett-Simpson, Inc.</u>			
MAILING ADDRESS:	<u>223 S. 9th St. Opelika, AL 36801</u>		
PHONE NUMBER:	<u>334-745-7026</u>	FAX NUMBER:	<u>334-745-4367</u>
EMAIL ADDRESS:	<u>brice@barrett-simpson.com</u>		

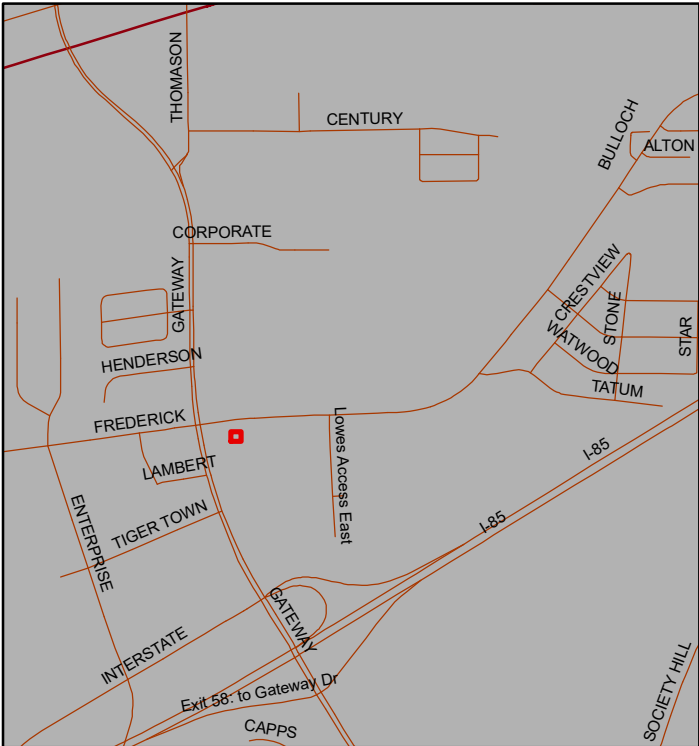
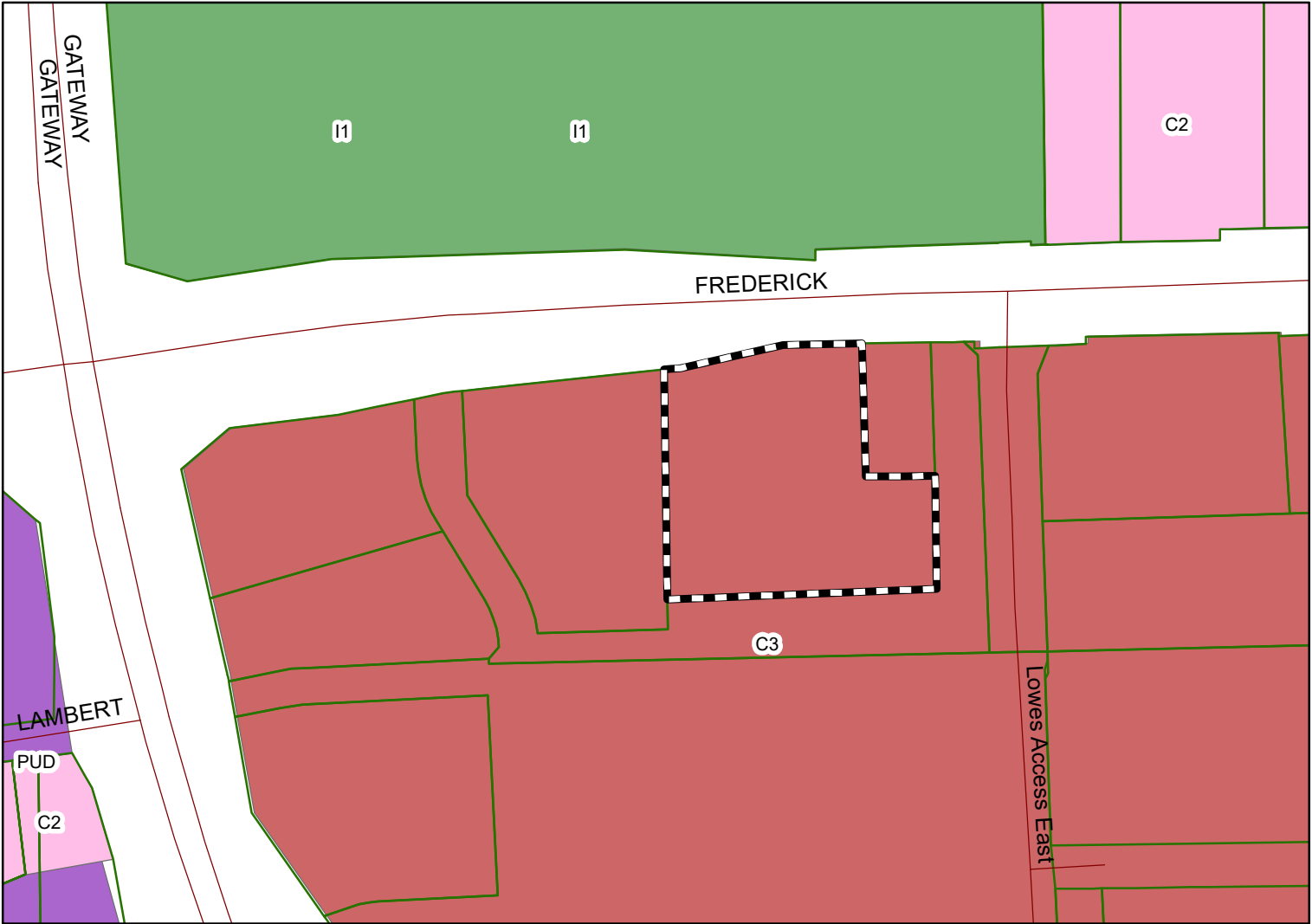
PARCEL INFORMATION

Current Land Use: Funeral Home Current Zoning: C-3/GC-P
 Description of Proposed Use: Crematory
 Adjacent Zoning Districts: North: I-1/GC-P South: C-3/GC-P East: C-3/GC-P West: C-3/GC-P

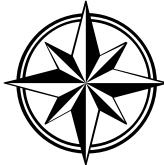
READ. THE FOLLOWING GENERAL USE STANDARDS, (E) PARAGRAPH (1-5) OF SUBSECTION 8.17 CONDITIONAL USES; E. General Use Standards.

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.

**FREDERICK DEAN FUNERAL HOME
1801 FREDERICK ROAD
CREMATORY ADDITION, D-7**



The applicant is requesting approval to add crematory services to the Frederick Dean Funeral Home. The property is 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: March 22, 2022

Agenda Item # D-7

Action Requested: Conditional Use – Addition of Crematory to existing funeral home

Location of Property: 1801 Frederick Road

Property Owner(s): Brown Service Funeral Homes Co.
Blake Rice, Barrett-Simpson, Inc. – Authorized Representative

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

Existing Land Use: Existing Funeral Home

**Surrounding Zoning Districts
And Land Uses:**

North	I-1, GC-P	Lee County Justice Center
South	C-3, GC-P	Vacant (buffer Opelika Market Place)
East	C-3, GC-P	Vacant residential
West	C-3, GC-P	Vacant lot

Proposal

The applicant/business owner is requesting conditional use a crematory building to an existing funeral home. The Frederick-Dean Funeral home has been in this location for decades. The funeral home has run the crematory aspect of its business outside of the city. The applicant would like to move that portion of the business on to the existing lot in a 30 x 35 building.

According to the business owner, within the last few years there has been a sharp increase in the number of cremations that occur. The applicant would like to move this current service to their existing funeral home. The funeral industry is regulated through state and federal regulations. This includes air quality requirements.

The proposed 1,050 square foot building will be located behind the current building near a garage. The building elevations show a building with brick veneer covering the front. This meets the gateway corridor regulations. The addition of this building and service

should not increase the needs for parking beyond the current parking lot. The site also has very mature landscaping. This includes fairly thick screening from the Lowe's property and other adjacent properties. An analysis of the impervious surface, shows that the site is below the maximum allowed impervious amount.

Recommendation

Staff recommends conditional use approval as submitted.

Engineering Department Report

Because of the limited size of the site and disturbance, no site plan will be required for this use to the Engineering Department. All permits and approvals will come from the Building Inspections Department and relevant utilities.

The Engineering Department has no other comments or concerns with this conditional use application.

Opelika Utilities Board Report

No comment.

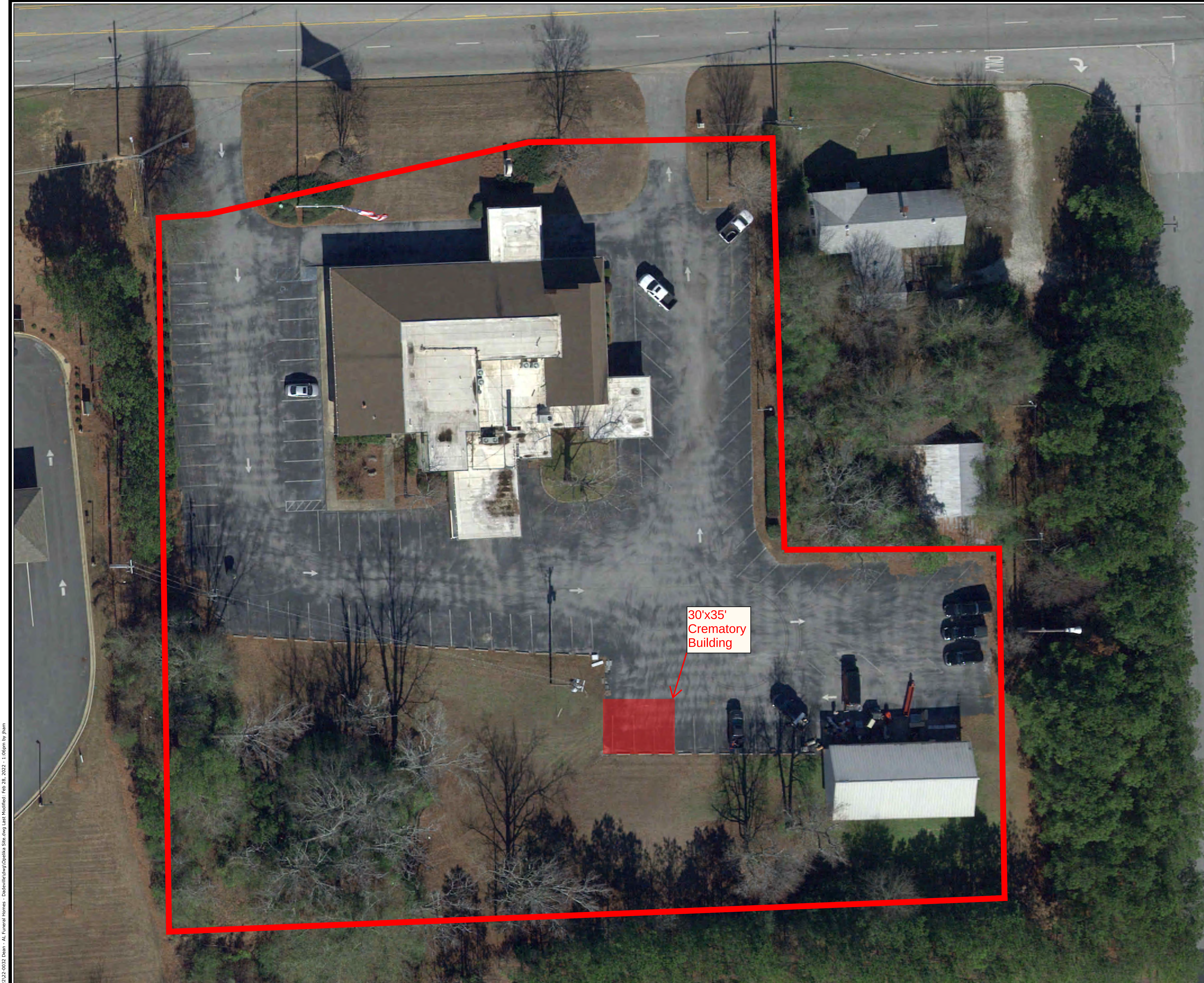
Opelika Power Services Report

This is inside the Opelika Power Service territory.



PROPOSED FRONT ELEVATION:

(17 FEB 22.) HPM



FREDERICK DEAN
CONDITIONAL USE
CREMATORY



Drawing Name: S:\2022\22-0032 Dean - AL Funeral Homes - Daleville\img\Opelika Site.dwg Last Modified: Feb 26, 2022 - 1:06pm by jham



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

2784



PC DEADLINE: 3/1/22 PC MEETING: 3/22/22

SITE ADDRESS:	<u>2200 Fredrick Road Opelika AL</u>		
PROPERTY OWNER:	<u>Candis Lanier</u>		
APPLICANT/ AUTHORIZED REPRESENTATIVE:	<u>Stacy L. Morley</u>		
MAILING ADDRESS:	<u>1914 Opelika Road Auburn AL 36830</u>		
PHONE NUMBER:	<u>334.799.1627</u>	FAX NUMBER:	<u>334-881-8442</u>
EMAIL ADDRESS:	<u>Thecarstercoshop1@hotmail.com</u>		

PARCEL INFORMATION

Project name: the Car Stereo Shop Address/Location: 2200 Fredrick Road
 Current Land Use: Vacant Current Zoning: _____
 Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: _____
 Description of Proposed Use: Sales + Installation of Audio, Video Lighting & Accessories Pertaining To The 12 Volt Industry

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: Candis Lanier Date: 2/14/22

STATE OF ALABAMA,

COUNTY OF LEE

I, Mckinna L. Chase, a Notary Public in and for said County and State, hereby certify that Candis W. Lanier, 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.

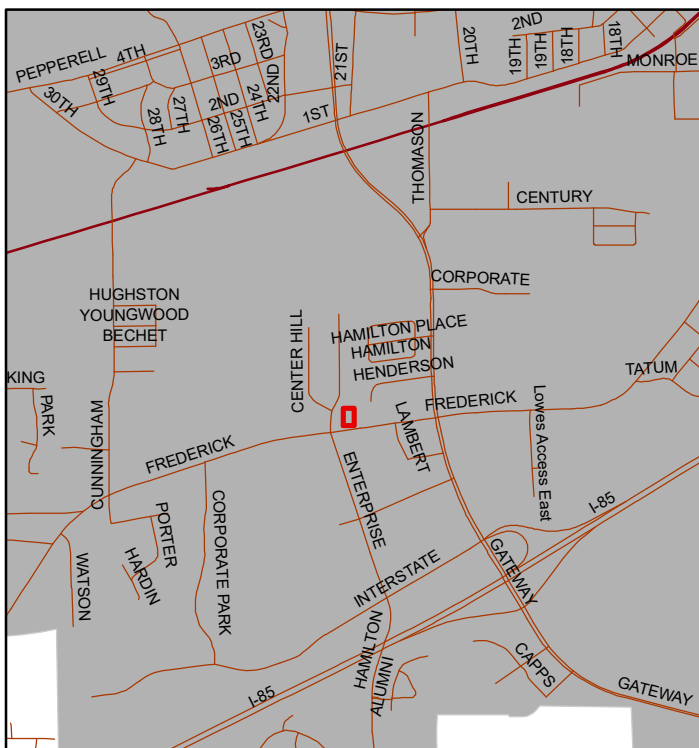
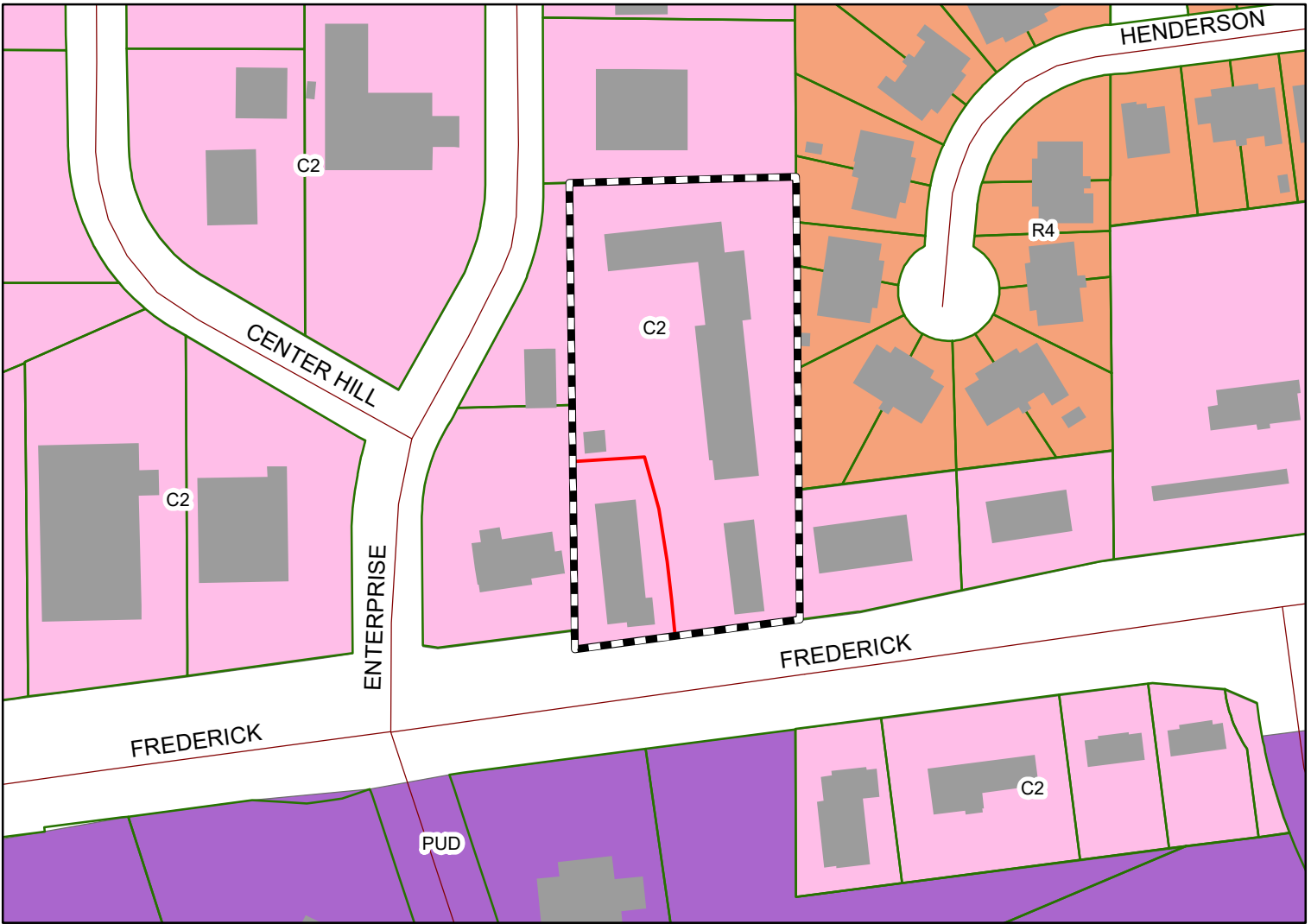
Given my hand and seal of office this 14 day of February

Mckinna L. Chase
Notary Public

My Commission Expires: 10/2023



**THE CAR STEREO SHOP
2200 FREDERICK ROAD
AUDIO & VIDEO LIGHTING, D-8**



The applicant is requesting approval for a audio car stereo shop. The property is in a C-2, GC-P zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item #: D-8

Action Requested: Conditional Use – “The Car Stereo Shop” - Vehicle Audio and Video Lighting

Location of Property: 2200 Frederick Road

Property Owner(s): Candy Lanier
Steven Mosley, business owner

Current Land Use: Vacant commercial building

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-2	Commercial
South	PUD	Bank (Tiger Town PUD)
East	C-2, GC-P	Commercial
West	C-2, GC	Restaurant

Proposal

The applicant is requesting conditional use approval for “The Car Stereo Shop” that opened in Auburn in 2006. The business sales & installs audio, lighting, entertainment, and security systems for all types of vehicles, including ATVs (all-terrain vehicles) and boats. The business has 5 employees.

The proposed Car Stereo Shop fronts along Frederick Road located across the street from the National Bank of Commerce. The proposed business will occupy a 3,360 square foot (sf) building with two roll-up doors (see photo below) on a 2.37 acre lot. (The roll up doors do not face Frederick Road but face the east side wall.) Three other buildings are on the same 2.37 acre property: an 1,800 sf tire store with street frontage along Frederick Road, and two buildings (3,800 sf and 4,400 sf) in the rear yard area; these buildings are used as commercial warehouses (Frito-Lay has a tenant space).

All installations of audio, lighting, and other equipment will be accomplished inside the 3,600 sf building. Staff had concerns with excessive noise from testing audio equipment. The applicant/business owner said that all installations are performed inside the building so tuning tests of new audio equipment are routinely performed inside; there may be an occasional outside test but it’s not standard practice to test audio equipment outside the building. Inside audio tests will not be

disturbing to adjacent properties or motorists. The applicant is sensitive not to disturb adjacent properties and motorists. All storage of equipment or material will be inside the building not outside. The business owner's 1990 Honda CRX with "The Car Stereo Shop" on windshield will be displayed outside. Parking is limited so no additional vehicles will be used for display purposes.

The Car Stereo Shop parking requires 15 parking spaces. The site plan provides 10 parking spaces. The property owner (landlord) will allow the Car Stereo tenant to use 5 parking spaces in the rear yard area near the commercial storage buildings. At least 25 parking spaces front along the two storage buildings and about 8 vehicles regularly park on the west side of driveway across from the storage buildings - a total of 33 parking spaces in rear yard. The remaining 23 parking spaces in rear yard should be adequate for commercial warehouse tenants. The property owner explained that the 8,200 sf storage buildings in rear yard area were constructed with no heating and cooling system. Therefore, the buildings are used for storage only not for retail sales or an office that requires employees; box trucks pick-up products or delivers products; an office or employee on duty is not necessary. Also, some buildings are vacant, so parking is available for the Car Stereo business. (For an 8,200 sf commercial warehouse a minimum of 3 parking spaces plus one parking space per employee is required.) For this property, staff believes parking for the Car Stereo business is adequate as described.

The exterior material on the existing building is 100% metal. The elevation plans show stone on the front wall covering the metal panels. On the east side wall, the applicant is requesting stone about 3 feet high along the entire east side that is open or visible from Frederick Road. The west side wall is 20' from the west property line and partially screened from Frederick Road by the higher elevation of the adjacent property. Therefore, the applicant is requesting that the west side remain as-is, metal panels. The regulations require the approved front façade material be installed on each side wall for 20 feet beginning at the corner of the building. The east wall faces an open parking lot and driveway area visually exposed to Frederick Road.

The property was first developed in the 1980s before the Landscape Regulations were approved; most of the property is asphalt. A strip of pervious land area is along a portion of the west property line available for landscaping. Landscaping in this area will visually screen a portion of the building's west side exterior metal paneling. Staff recommends that a 30 foot strip of evergreen-type plant (shrub) planted. The shrubs must have a maximum growth height of about 10 feet because of overhead power lines.

A dumpster is shown on site plan about 430 feet from Frederick Road near the rear property line of the 2.7 acre lot; the dumpster is not completely screened, but partially screened by an existing building and appears will not be seen from Frederick Road.

Recommendation

Staff recommends approval subject to the following

1. Approve the applicant's exterior material request as explained in report subject to evergreen shrubs planted along the west property as described planted along west property. line planting strip.
2. Audio testing must be performed inside the building. Any outside audio testing must be limited.
3. All storage of equipment, products, or material must be inside the building not outside. Outside display is limited to one vehicle due to limited parking area.



Engineer's Report

Because of the limited size of the site and disturbance, no site plan will be required for this use to the Engineering Department. All permits and approvals will come from the Building Inspections Department and relevant utilities.

The Engineering Department has no other comments or concerns with this conditional use application.

Opelika Utilities

No comment.

Opelika Power Services

This is inside the Opelika Power Service territory.



Stucco will extend 25' on both sides

Stucco

Stucco 25'

Stucco

Stucco

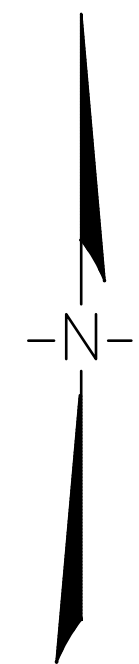
Cultured Stone

Cultured Stone

FOR LEASE
Good C2 B2 P
4000 SFR
334-759-9214

39

SITE PLAN FOR:
CANDY LANIER
CHESHIRE
COMMERCIAL PARK



LOT
7
09 06 23 1 000 060.000
SM AMERICA LLC
Address-Phy: 2309 ENTERPRISE DR
OPELIKA AL 36801
CENTER POINT SUBDIVISION
1ST ADDITION
REDIVISION LOTS 5 & 6
PLAT BOOK 19-81

LOT 10

LOT
124
09 06 23 1 000 045.000
MADDEN WINFRED A
2114 HENDERSON DR
OPELIKA AL 36801
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
123
09 06 23 1 000 044.000
BREEDLOVE ANN M
2116 HENDERSON DR
OPELIKA AL 36801
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
122
09 06 23 1 000 043.000
CORNETT JANETA L
2118 HENDERSON DR
OPELIKA AL 36801
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
121
09 06 23 1 000 042.000
WILBORN DORIS C
2120 HENDERSON DR
AUBURN AL 36830
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
120
09 06 23 1 000 041.000
PETTWAY ANTHONY & JANELLE
2124 HENDERSON DR
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
118
Parcel: 09 06 23 1 000 039.000
LOTT WALTER ALLEN & THERESA C
2112 FREDERICK RD
OPELIKA AL 36801
HAMILTON PLACE SUBDIVISION
2ND ADDITION
PLAT 14-74

LOT
1
09 06 23 1 000 010.000
CANNON TIMBER & LAND LLC
2109 FREDERICK RD
AUBURN AL 36830

LOT
8
09 06 23 1 000 059.001
LOTT WALTER A & THERESA
O ENTERPRISE DR
OPELIKA AL 36801
CENTER POINT SUBDIVISION
3RD REVISION
PLAT 19-141

LOT
9
09 06 23 1 000 059.000
JACK LLC
2212 FREDERICK RD
AUBURN AL 36830
CENTER POINT SUBDIVISION
3RD REVISION
PLAT 19-141

N 00°33' W
467.4

20' B.L.

N 89°27' E
223.85

PROPOSED
DUMPSTER LOCATION

20' B.L.

IMPROVEMENTS
NOT SHOWN

20' B.L.

S 00°03' E
472.86

LEASE LINE

PROPOSED
GRAVEL

12.0

PARKING

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30' B.L.

36.4

10' B.L.(PLAT)

N 83°02' E
221.37

20.2

29.6

FREDERICK ROAD
VARIABLE R.O.W.

LOT NUMBER & SUBDIVISION NAME:
LOT 10 CHESHIRE COMMERCIAL PARK

DATE:
02-18-22

PROFESSIONAL CONTACT:
CANDY LANIER

LOT
12-A
09 06 23 1 000 078.001
NATIONAL BANK OF COMMERCE
CORPORATE REAL ESTATE
P.O. BOX 1287
ORANGEBURG SC 29116

PART LOT
12-B
09 06 23 1 000 078.000
THF MRP TIGER TOWN LLC
C O THF MANAGEMENT
211 N STADIUM BLVD
COLUMBIA MO 65203

Seal

Drawn By:

W.H.

Scale:

1"=20'

File Name:

22-0111

Date:

02-18-22

PRECISION
SURVEYING

Sheet Title:

CHESHIRE
COMMERCIAL PARK
2200 FREDERICK ROAD

595 Dekalb Street
Suite "D"
Auburn, Alabama 36830
Phone (334) 821-0105



google.com/search?q=commer

3



2810

AGENDA ITEM # _____



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

PC DEADLINE: 3/1/22 PC MEETING: 3/22/22

PROJECT NAME: 280 Storage
SITE ADDRESS: 3500 Block of US Highway 280
PROPERTY OWNER: J & G Properties, LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: David Slocum, P.E.
MAILING ADDRESS: 106B W. Veterans Blvd. Auburn, AL 36830
PHONE NUMBER: (334) 703-8860 **FAX NUMBER:** _____
EMAIL ADDRESS: dslocum@pinnacle-inc.net

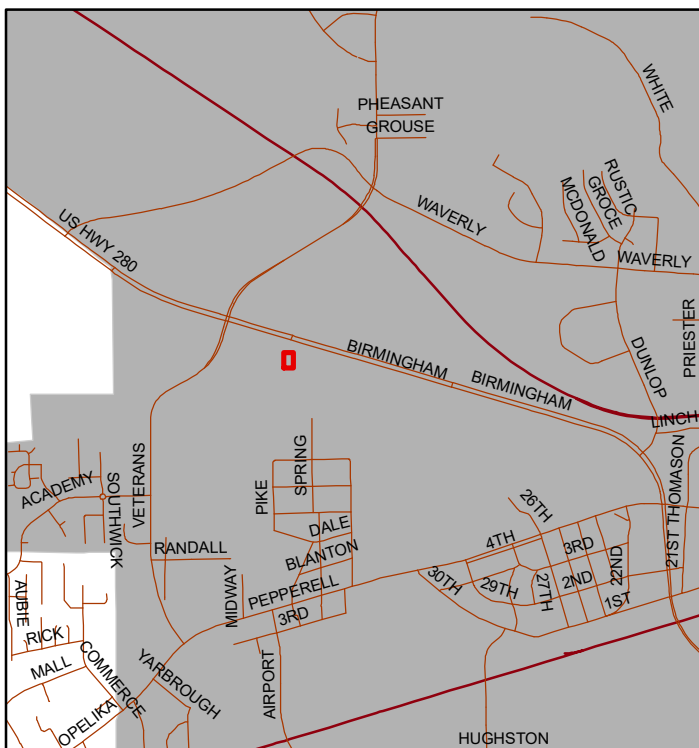
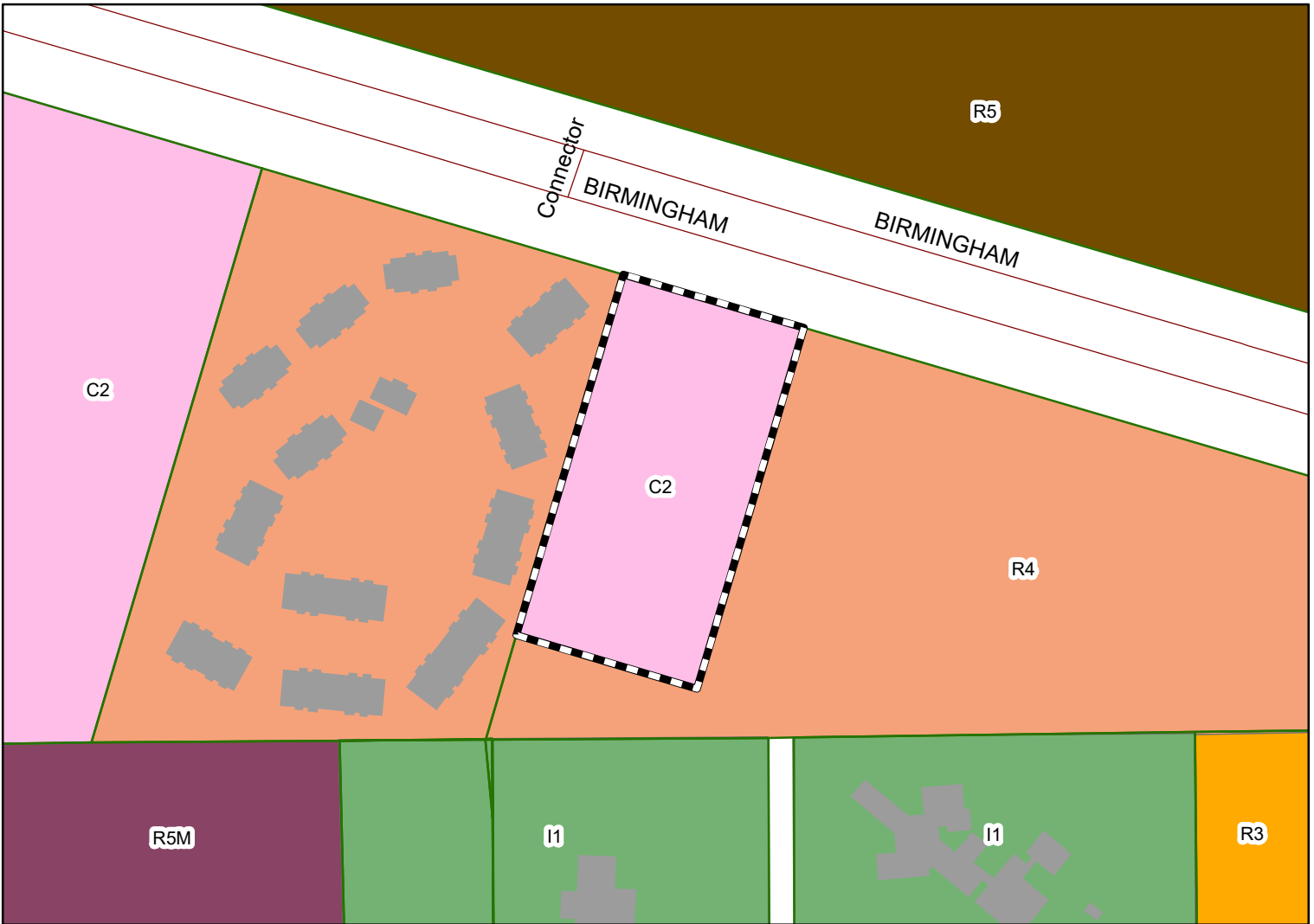
PARCEL INFORMATION

Current Land Use: Vacant **Current Zoning:** C2
Description of Proposed Use: Climate-controlled storage
Adjacent Zoning Districts: North: R5 South: R4/I1 East: R4 West: R4

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.

280 STORAGE 3500 BLOCK OF BIRMINGHAM HIGHWAY CLIMATE CONTROL MINI-WAREHOUSES, D-9



The applicant is requesting approval to construct a climate control mini-warehouse. The property is in a C-2, GC-P zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item #: D-9

Action Requested: Conditional Use - Climate-controlled mini-rehouses – 410 units

Location of Property 3455 Birmingham Highway

Property Owner(s): J & G Properties LLC
Jay Tolland, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	R-5	Undeveloped
South	R-4	Undeveloped
East	R-4	Undeveloped
West	R-4	Ski Lodge Apartments

Proposal

*This conditional use was first approved subject to conditions at the November 2019 Planning Commission meeting. At the December 2020 Planning Commission meeting a one-year extension of the approval was granted until the December 2021 Planning Commission meeting. The one year extension to December 2021 has expired and the applicant is reapplying for conditional use approval. Planning staff has no additional conditions or other recommendations concerning the development since the first approval in November 2019. The staff report below is the same as provided at the November 2019 Planning Commission meeting. **Staff recommends conditional use approval as submitted below subject to conditions on page 2.***

The applicant is requesting conditional use approval for a two-story 410-unit climate controlled mini-warehouse building in a C-2, GC zone. The size of storage units is 5x10, 10x10, and 10x15. The site plan shows four 17,535 square foot (sf) buildings on a 180,000 sf lot (4.1 acres). The 43 off-street parking spaces meet minimum parking requirements for a mini-warehouse (One parking space per 10 storage unit). The landscape plan meets minimum requirements concerning total points. All plant

material is in the front yard area: 40 trees and 99 shrubs will be planted. A minimum 15 foot wide parking lot buffer with trees and shrubs is provided along Birmingham Highway. Ski Lodge

Apartments are located on the adjacent property west of this development. A residential buffer is required along the east, west and south property lines. Section 10 Landscape Regulations of the Zoning Ordinance provides three types of buffers to choose from: (1) an opaque fence not less than six feet in height and four foot wide strip of evergreen plantings, (2) a staggered double row of Evergreen plantings at least six feet in width, or (3) natural, undisturbed forest at least twenty (20) feet in width that provides a nearly impervious visual barrier.

The front elevation of the mini warehouse building is shown on the next page. The exterior material will be a combination of brick veneer and EIFs material. The brick is about four feet high from ground level and the remaining wall is EIFs. At least 72 feet (20% of side wall length) of the east and west side walls will consist of the same brick & EIFs as the front wall. The remaining side elevations (290') and the rear elevation will be painted metal siding.

Recommendation

Staff recommends approval subject to the following recommendation:

1. Add a residential buffer along the east, west, and south property lines as provided in Section IX Landscape Regulations: buffer must run the entire property line length.
2. The east and west side elevations must match the front elevation (brick & EIFs) for at least 72 feet on each side.



Engineer's 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 proposed conditional use application.

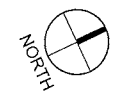
OPELIKA UTILITIES

No comment.

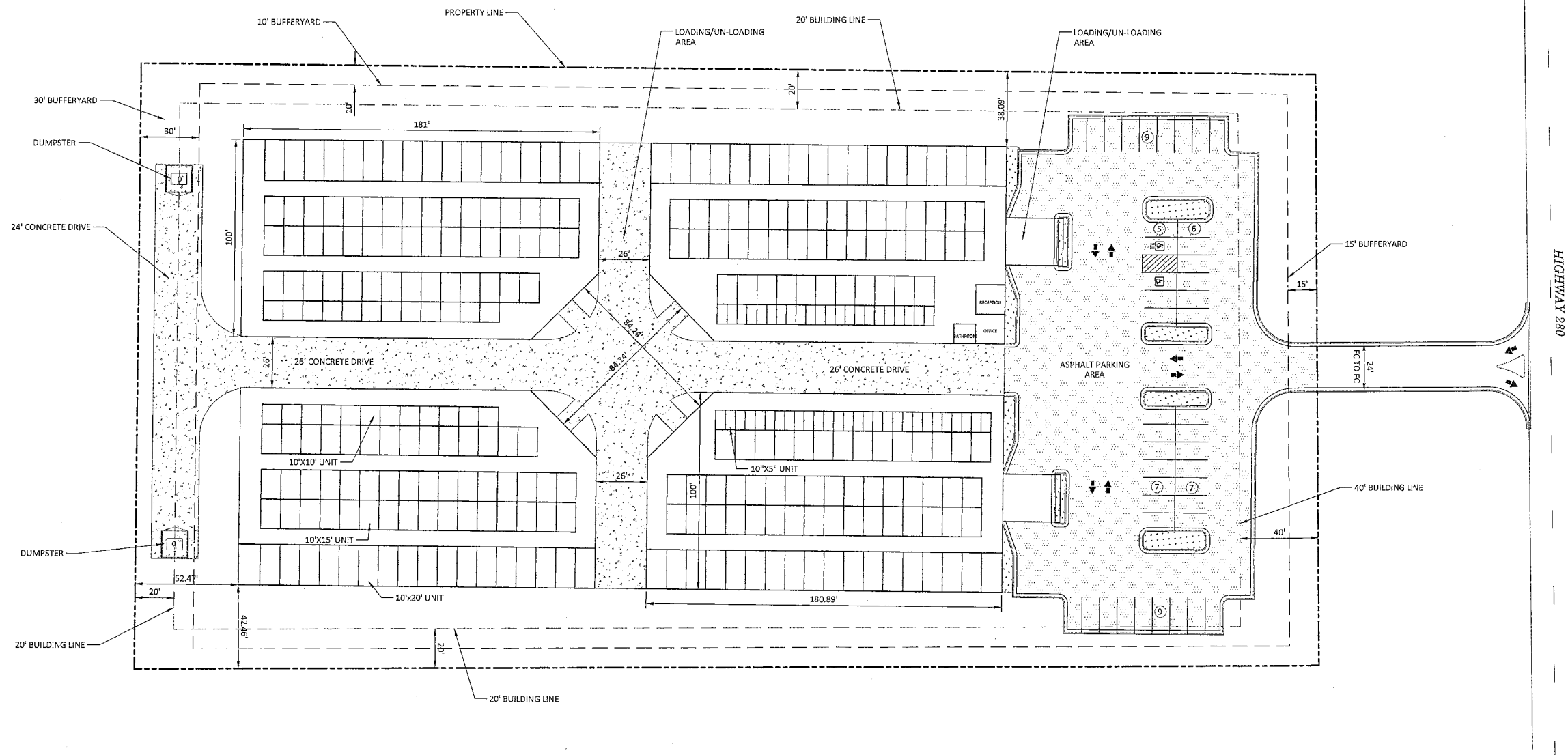
Opelika Power Services

This is inside the Opelika Power Service territory.

#9



SITE SUMMARY:	
BUILDINGS	
LENGTH= 181'	
WIDTH= 100'	
SQ. FT= 17,535 SQ. FT	
MAX. ISR= 70% = 127,628 SQ. FT/ 2.92 AC	
PROPOSED ISR= 68% = 125,491 SQ. FT/ 2.88 AC	
PARKING	
OFFICE	PROPOSED
1/ 250 SF	2
MINI-WAREHOUSE	
1/ 10 UNITS	41
TOTAL	43
NUMBER OF UNITS PER PARKING REQUIREMENTS:	
410 UNITS	





2796

AGENDA ITEM # _____

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: 3/1/22 PC MEETING: 3/22/22PROPERTY OWNERS/
AUTHORIZED REPRESENTATIVE:ALAN DORNMAILING ADDRESS: 1605 MALLEY LANE AUBURN, AL 36835PHONE NUMBER: 334-444-8856 Email: ALAN.DORN@gmail.com**PARCEL INFORMATION**Site Address: 3000 Old Opelika Road (Also Fronts Frederick)Description of proposed use: NONE PROPOSEDTax Parcel Number: 09-06-23-3-000-009.000Adjacent Zoning Districts: North: R4 South: C2-R3-R4 East: C2 West: R5Current Land Use: VACANTCurrent Zoning: R4Proposed Zoning: C2Number of APO: 15 x \$7.00 = \$ 105⁰⁰
(Adjacent Property Owners)Fee: \$125.00

TOTAL

= 230⁰⁰

PAID: _____

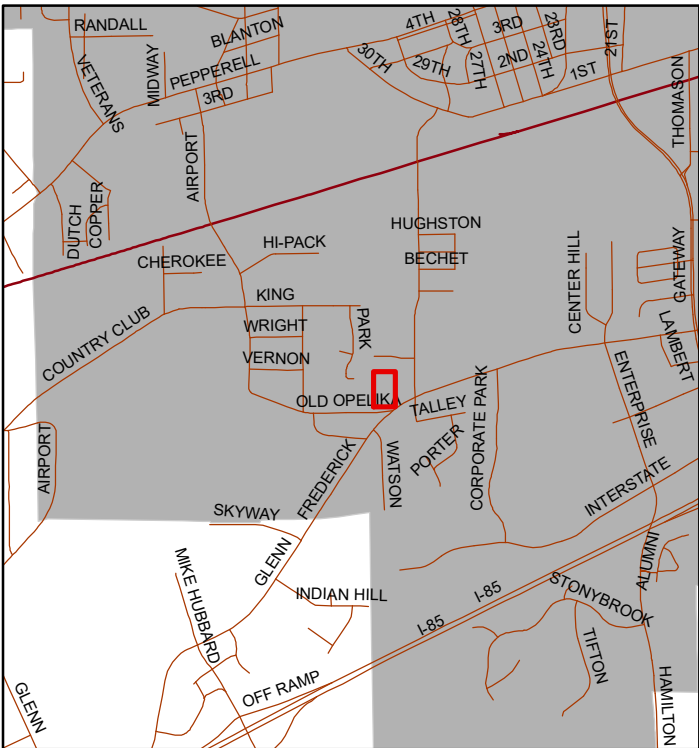
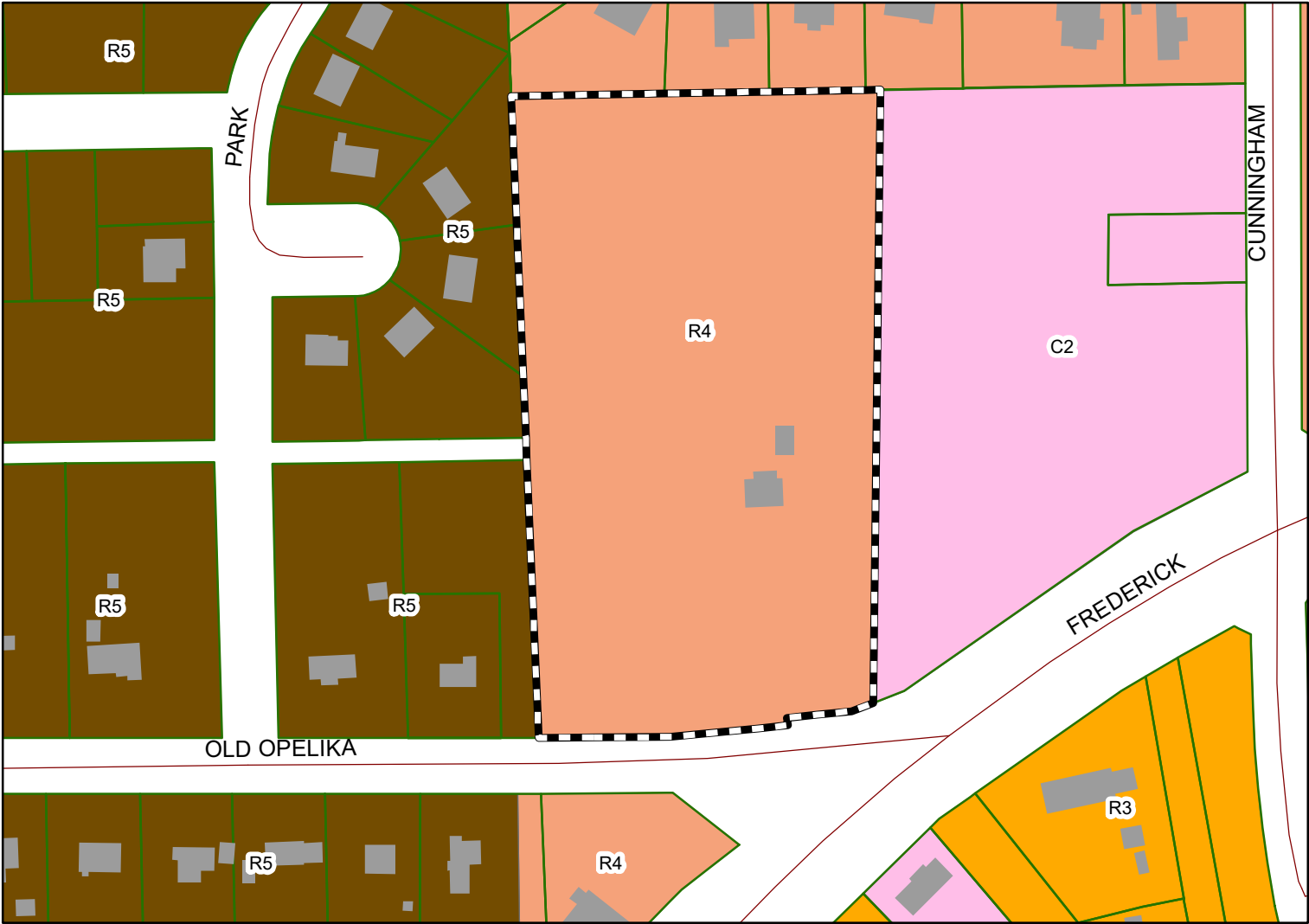
I hereby request my property located at (street address) 3000 Old Opelika RoadTax Map parcel number 09-06-23-3-000-009.000 be rezoned fromR4 to C2. A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME)

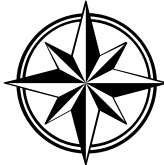
ALAN DORN
2-22-2022

DATE

ANGLIN & JOHNSON REZONING
OLD OPELIKA ROAD & FREDERICK ROAD
R-4 TO C-2, GC-P, E-10



The applicant is requesting rezoning 6 acres from R-4 to C-2, GC-P.



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: March 22, 2022

Agenda Item #: E-10

Action Requested: Rezoning - from R-4 to C-2, GC-P

Location of Property: Old Opelika Road & Frederick Road

Property Owner(s): John H. Anglin and Terry L. Johnson

Current Zoning: R-4

Proposed Zoning: C-2, GC-P

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-4	Single-family homes
	South	R-4	Church (Airview Heights)
	East	C-2, GC-P	Undeveloped
	West	R-3, M-2	Single-family homes

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) is a guide that provides a desired development pattern for properties. On the FLUM, the 6 acre rezoning property is in a ‘light commercial’ land use category. The ‘light commercial’ category corresponds to and is compatible with the rezoning request to a C-2, GC-P zoning district. An amendment to the FLUM and a vote to amend to the Future Land Use map is not required.

Rezoning

At this time, the applicant does not have a development plan or a specific land use for the 6 acre rezoning property. Most properties along Frederick Road are zoned commercial (C-2, GC-P) not residential as the applicant’s R-4 zoned property. The rezoning property is also similar to the adjacent 4.6 acre parcel on the east side – both parcels are undeveloped and front on Frederick Road. The adjacent property is zoned C-2, GC-P. (Also, a contract to purchase the adjacent property is pending.) The applicant desires to develop or sell the property as commercial so the C-2, GC-P zone is requested. The land uses allowed in the C-2 zone (retail stores, offices, standard restaurant) are adequate to market the rezoning property; the applicant is aware that some land uses are ‘conditional’ in the C-2, GC-P zone and require Planning Commission approval.

The adjacent properties on the west and north sides of the rezoning property are single family homes in a R-4 or R-5 zoning district. A C-2 zoning district adjoining the rear property line of an residential zoned property is common. The C-2 zone is defined as ‘office and retail’ and business activities are primarily inside a building. In the C-2 zone the outside display or storage of products is not outright allowed but requires conditional use approval by the Planning Commission. The C-2 allowed uses are more compatible with residential zoned properties than the C-3 zoning district (general commercial). If the rezoning is approved and a commercial development is proposed a residential buffer (visual screen) is required along the commercial property line that adjoins a residential zoned property.

Staff Recommendation

Most properties along Frederick Road from Gateway Drive to the Opelika City limits are zoned C-2, GC-P, so the rezoning request is consistent with existing zoning district. Staff does not believe a rezoning to C-2, GC-P (office/retail, Gateway Corridor overlay district - Primary) would create an adverse impact to the adjacent properties. Conditional use approval and landscaping is required for proposed uses with outside display/storage of products. .

Planning Staff recommends the Planning Commission send a positive recommendation to the City Council to rezone the property from R-4 to C-2, GC-P.

Engineer’s Report

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

OPELIKA UTILITIES

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

Opelika Power Services

No comment.



EXHIBIT
B



EXHIBIT B



REZONING APPLICATION
PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801

2806

PC DEADLINE: 3/1/2022 PC MEETING: 3/22/2022

PROPERTY OWNERS/
 AUTHORIZED REPRESENTATIVE: Thomas Johnson (Holland Homes, LLC)
 MAILING ADDRESS: 421 Opelika Rd, Auburn, AL 36830
 PHONE NUMBER: 256-393-1617 Email: ThomasJ@HollandHomesLLC.com

PARCEL INFORMATIONSite Address: 2600 1st Avenue, Opelika, ALDescription of proposed use: Mixed use developmentTax Parcel Number: 09-06-14-3-000-136.000, 09-06-14-3-000-136.000, 09-06-14-3-000-136.001, 09-06-14-4-000-074.000, 09-06-14-4-000-071.000, 09-06-14-3-000-137.000, 09-06-14-3-000-136.000, 09-06-14-3-000-136.000Adjacent Zoning Districts: North: VR1 South: C East: C2 West: C2 and PUDCurrent Land Use: Former Industrial PlantCurrent Zoning: C2 mainly, VR1 on one parcelNumber of APO: 26 x \$7.00 = \$ 182
(Adjacent Property Owners)Proposed Zoning: PUDFee: \$125.00**TOTAL** = 307

PAID: _____

I hereby request my property located at (street address) 2600 1st Avenue, Opelika, AL,
 Tax Map parcel number 09-06-14-3-000-136.000, 09-06-14-3-000-136.000, 09-06-14-3-000-136.001, 09-06-14-4-000-074.000, 09-06-14-4-000-071.000, 09-06-14-3-000-137.000, 09-06-14-3-000-136.000 be rezoned from
C2 and VR1 to PUD. A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME) Thomas Johnson

DATE

Holland Homes, LLC

421 Opelika Rd
Auburn, AL 36830

MEMO TO: City of Opelika
Planning Commission
Attention: Mr. Matt Mosley, AICP

FROM: Thomas Johnson, PE (Holland Homes, LLC)

RE: PUD Request for The Mill Development – Opelika, Alabama

DATE: May 7, 2019

As described in the City of Opelika Zoning Ordinance, Section 8.18 Planned Unit Development Regulations we are submitting for your review and request approval for a Planned Unit Development currently identified as The Mill Development

Overall Development Scheme

1. Location and intensity of proposed uses and activities

The property is approximately 31.95 acres within the Pepperell Village Historic District and is located south of N 29th St, east of Cunningham Drive, and north of the railroad tracks. The proposed use of the property is a mixed-use development consisting of commercial and multi-family frontage along 1st Avenue and two types of single-family residential products. The single-family residential products will consist of single-family detached houses and townhomes.

The property is divided primarily into two sections. The commercial and multi-family section is located south of 1st Avenue and is comprised of approximately 8.44 acres. The remaining residential section is approximately 23.51 acres that includes 2.0 acres of open space.

The total number of residential units is 298 with a total development density of 9.33 units per acre. The individual development densities for the residential areas are as follows:

- | | |
|-------------------------------|---------------------|
| • Single-family Detached Area | 7.0 units per acre |
| • Town Homes Area | 10.5 units per acre |
| • Multi-Family Residential | 11.9 units per acre |

2. Physical Description of proposed facilities

The buildings in each section shall complement each other in appearance and the three sections shall come together to make the overall aesthetics blend into a common theme or architectural style.

The requested development standards are as follows:

- Single-Family Detached Home Area Standards
 - o Minimum Lot Size = 4,500 SF
 - o Minimum Lot Width = 40 Feet
 - o 20' front yard setback
 - o 20' rear yard setback
 - o 5' side yard setback
 - o 15' side yard on street setback
 - o Floor Area Ratio (FAR) maximum of 0.60
- Townhouse Area Standards
 - o Minimum Lot Size = 1,800 SF
 - o Minimum Lot Width = 20 Feet
 - o 10' front yard setback
 - o 20' rear yard setback
 - o 10' side yard setback on end units
 - o 10' side yard on street setback
 - o Floor Area Ratio (FAR) maximum of 1.50
 - o Waiver of Section 8.13.C.5 Yards, due to rear loaded parking
- Commercial and Multi-Family Area Standards
 - o Area requirements in accordance with C-1 (Section 7.3.A)
 - o No Minimum Lot Size, Lot Width
 - o No Maximum Floor Area Ratio
 - o 0' front yard setback
 - o 0' rear yard setback
 - o 0' side yard setback on end units
 - o 0' side yard on street setback
 - o 100% Maximum Building Area

3. Statement of location and general configuration of lands to be dedicated for public open space and other public uses

The development will include three platted open space areas totaling approximately two (2) acres and will also include at least one (1) acre of open area for recreation and entertainment within the commercial area including food truck parking, landscaped green space, and a pavilion to encourage gathering and outdoor dining. The platted open space lots will be relatively flat and grassed to encourage recreation. There will be sidewalks along the rights-of-way throughout the development to connect residents to the open spaces and the commercial areas.

4. General designation of utilities

Sanitary sewer, water, and storm sewer for the site will tie into existing nearby City of Opelika utilities. Stormwater detention is not anticipated as this is a re-development project; however, a stormwater assessment will be performed by a licensed and registered professional engineer. Utilities such as power, gas, phone, and cable will be run throughout the site by their associated companies.

5. General statement of form of site management proposed for common open spaces and facilities

The Developer will be responsible for the overall management and maintenance of the planned open spaces and common commercial spaces until a homeowner's association and a commercial owners condo association can be established to take over these common areas.

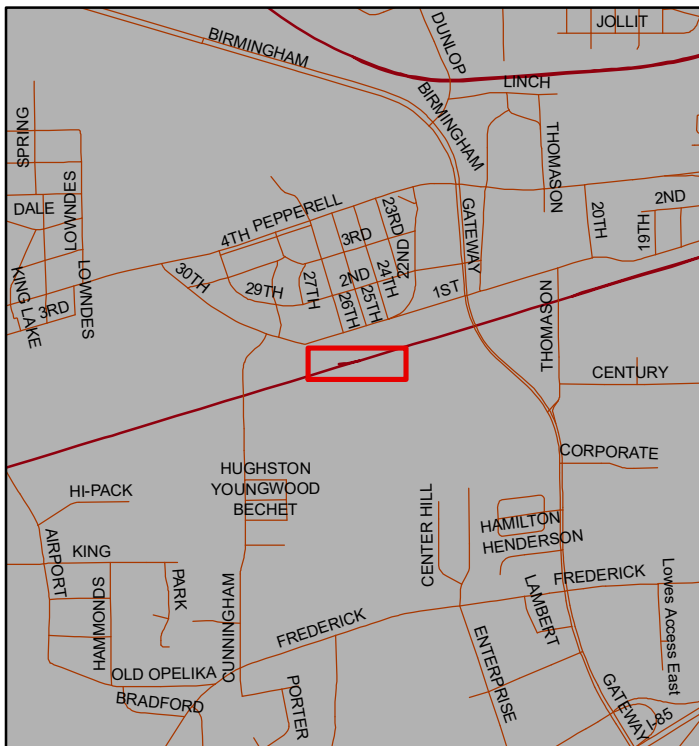
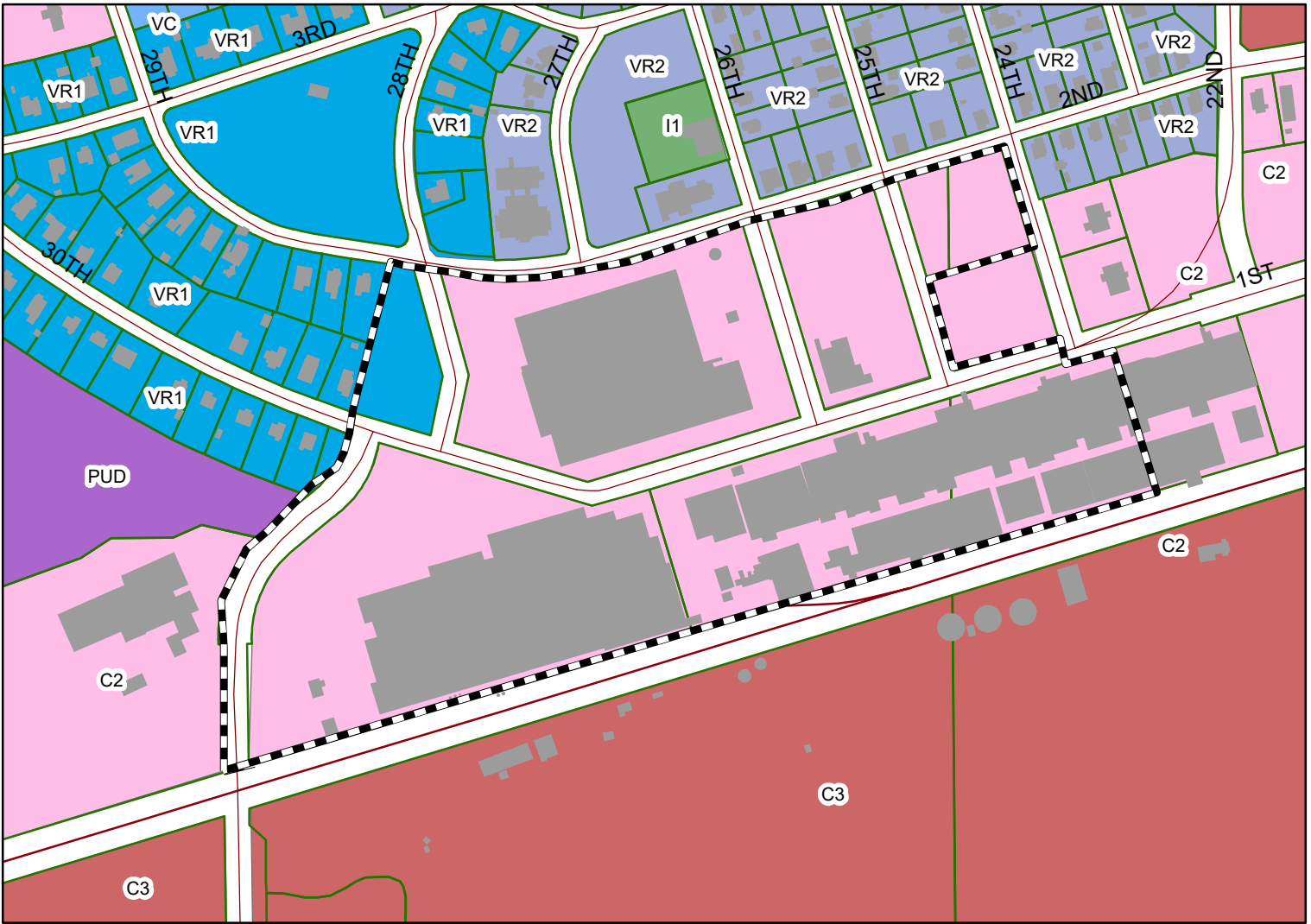
6. Additional Information

- Signage: It is the intention of the developer to preserve the aesthetic of the existing water tower and smokestack that previously served The Pepperell Mill. The water tower will remain and will be painted and used as signage with full height painted letters and uplighting. The smokestack will remain unaltered with the current 'Pepperell' lettering in brick and will also have uplighting. Two arched, wrought iron signs will be placed at the entry points from 1st Avenue N to the commercial districts. Additionally, standard monument signs may be submitted for traditional permitting for the residential neighborhood and the individual businesses.
- Off-street parking: A 75% sharing factor between office uses and restaurant/entertainment/event/alcohol sales uses is requested for calculating off-street parking requirements with the commercial and multi-family area.
- Conditional Uses Requested: Proposed uses for the commercial area include: multi-family apartments, hotel, office, retail, restaurant, event space, food/dining/alcohol sales, food trucks, and open air market.
- Voluntarily Restricted Uses: uses that will not be allowed include: funeral home, agricultural/mining/quarrying, laundromat, services related to animals, adult businesses, and automobile related uses.
- Requesting entertainment district status, or equal, from Opelika.

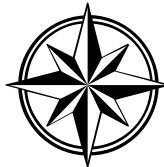
HOLLAND HOMES REZONING

FIRST AVENUE

C-2 & VR-1 TO PUD, E-11



The applicant's request is to rezone 34.8 acres from C-2 & VR-1 to PUD. A residential and commercial development is planned..



Subject Property

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City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	March 22, 2022		
Agenda Item #:	E-11a & E-11b		
Action Requested:	Amendment to the Future Land Use Map and Rezoning 34.8 acres Amendment- from Light Commercial and Low Density Residential to Mixed Use land use category, Rezoning - from VR-1 and C-2 to PUD		
Location of Property:	First Avenue		
Property Owner:	Saucier Investments, LLC. Thomas Johnson, Holland Homes		
Current Zoning:	C-2 and VR-1		
Proposed Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Former Mill Site		
Surrounding Zoning Districts And Land Uses:	North	VR-2	Single Family and Church
	South	R-5	Former Mill property (across RR)
	East	C-2	Single-family and vacant
	West	R-5	Airview Baptist Church

The proposed property includes a majority of the site for the commercial portions of Pepperell Mill. This includes 34.8 acres located south of 2nd Avenue. Part of the proposed development includes realignment of the N. 28th Street.

Amendment to the Future Land Use Map:

The 2030 Future Land Use Map shows that the 34.9-acre property as primarily “light commercial” land use category. The property located between 1st and 2nd Avenue to the west of the current location of N. 28th Street is classified and zoned as “low density residential” and VR-1. The properties surrounding the subject property are a variety of land uses. The property to the north has residential and institutional (church) uses. The properties to the east include offices and commercial uses. The property to the south across the railroad was a part of the Pepperell Mill property used to hold water and is largely in the flood plain.

The property to the west includes both residential and office uses. The proposed master plan is truly a mixed use project that contains single-family residential, townhouses, apartments, office, and other commercial uses. Overall, the proposed uses within the masterplan of the PUD would fall within the medium density residential. Medium density residential is classified as residential up to nine (9) units per acre. Most of the existing residential in this area is actually closer to a low-density residential classification. The proposed density for the residential portion of the development is 8.5 units per acre. This falls in middle of the density for medium density residential and is similar to an R-4 zoning district.

Staff Recommendation:

Staff recommends approval of an amendment to the Future Land Use map for the 34.9 acres from a “low density residential” and “light commercial” land use category to a ‘mixed use’ land use category if the Planning Commission recommends the following rezoning to City Council.

Rezoning:

The applicant is requesting rezoning 34.9 acres from a VR-1 (village residential) and C-2 (office-retail) zoning district to a planned unit development (PUD) zoning district. The overall development is proposing 298 residential units. This includes 94 single family homes, 104 townhomes, and 100 multi-family/apartment units. Overall, the development will have a density of 8.5 units per acre. The site also contains a variety of commercial uses including a restaurant in the existing building near the water tower and smokestack. The site also has four stand alone commercial shop spaces, two mixed use buildings, six open air market stands, a food truck court, and two office buildings. The applicant is showing four open space parcels totaling approximately 2.19 acres plus an event lawn in the commercial area.

The development uses the existing block grid. As previously mentioned, N. 28th Street would be realigned to intersect with N. 30th Street and Cunningham Drive, where the City will add a roundabout. The applicant is also proposing to extend N. 27th Street to 1st Avenue and then across to Cunningham Drive. The applicant is also introducing a variety of alleys that will create rear access for the townhouses and connections to other parts of the development.

This development mixes three different housing types throughout the development. This is becoming somewhat more common in newer developments. The single-family homes and townhouses would be located on individual lots for sale. The multi-family apartments would be in two buildings in the commercial area and possible over mixed use building A.

The single-family homes are requesting lot widths of 40 feet and lot sizes of 4,500 square feet. This would also include 20 feet front and rear setbacks and 5 feet side setbacks. The C-2 zone uses the standard for R-5 which are 60-foot-wide lots with 7,500 square feet. The nearby VR-2 zoning in the Mill Village requires 7,500 square foot lots, with 65 ft widths, 12 ft front setbacks, 35 ft rear setbacks and 10 ft side setbacks. Staff does feel the transition between the existing neighborhood and the single-family homes proposed across 2nd Avenue could be smoother. Staff recommends the proposed lots across from existing residential on 2nd Avenue be increased in slightly in size.

The townhouses proposed have similar minimum lots sizes and widths to the current City standards. The lots are proposed to have 10 ft front setbacks, 20 ft rear setbacks and 10 ft side setbacks on end units. The applicant is requesting to have no rear yards due to the rear loaded alleys. The applicant has placed common space in areas near most of the townhomes that can replace the use of the yard.

The commercial and multi-family buildings are proposed to have zero-lot line setbacks that will allow them to create an aesthetic similar to a small downtown. This type of development is common in many mixed-use developments with neighborhood town centers. One item that has not been disclosed is the height/number of stories of the proposed commercial and multi-family buildings. Staff generally believes that three (3) stories would be consistent with the area.

The plan does not currently show any landscaping, buffers or sidewalks. These are key components of developments that are denser. Staff is recommending sidewalks be placed on both sides of each public street where they adjoin a residence or commercial space. Staff also believes that landscaping is extremely important. Typically, a buffer would be required on the perimeter of the PUD. However, this PUD is bound by streets and the railroad on almost all sides. In this case, buffers are more likely to be appreciated by the proposed residential units than help buffer the adjacent property from this development. Street trees would help define the edges of the road but may conflict with utilities. Additionally, the right-of-way may not be wide enough for street trees. Staff is recommending that there be at least one large/canopy tree placed either in the right-of-way between the street and sidewalk with approval by city departments. If this cannot be done, a similar tree should be placed in the front and side yards on street for each unit. The commercial, townhouse and multi-family areas should meet the general and parking landscape requirements of the zoning ordinance.

The applicant has provided a list of requested uses for the commercial areas in the PUD. These include hotels, office, retail, restaurant, event space, food/dining/alcohol sales, food

trucks and an open-air market. Staff would also recommend any use within Section 7.8.B.1 which lists the uses allowed in the Village Commercial zone. The applicant lists uses that will not be allowed including funeral home, agricultural, mining, quarrying, laundromat, animal services, adult business and auto related uses. Staff recommends that drive-thru restaurants, outside storage, alternative financial services, and mini-storage be prohibited. All commercial uses shall be limited to the areas shown as commercial unless the PUD is amended.

The applicant has requested a master signage plan to include specific signage. The plan includes the maintenance of the Pepperell sign on the existing smokestack. The plan also proposes a sign on the proposed water tower and two arching gateway signs into the development. Any additional signage for the commercial spaces or other uses shall meet the general requirements for signage.

The applicant is currently working on designs and elevations to show how this development will fit with the surrounding properties. Staff believes these design elements are critical to the integration of the development and its overall success. Staff recommends that the development generally meet the corridor overlay material and design criteria. All utilities shall be installed underground.

Overall, the development is well below the density of 16 units per acre in the C-2 zoning district. Staff feels this development generally provides a good re-use of the Pepperell Mill property and finds the development to transition in an orderly method from less dense to more dense. Staff believes that the development is moving in the right direction, but needs more detail to grant a final recommendation.

Staff Recommendation:

While staff feels a little more information is necessary prior to a final recommendation. If the Planning Commission does make a positive recommendation to the City Council to rezone the property from VR-1 and C-2 to PUD, it should be subject to the following:

- 1. Provide sidewalks on both sides of each street adjoining an amenity or residence.**
- 2. All utilities shall be underground.**
- 3. All multi-family and commercial buildings shall meet the Gateway Corridor cladding requirements.**

4. Non-single family sections of the development shall meet the landscaping requirements at time of development unless a master landscape plan is submitted.
 5. One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.
 6. No sideyard on street setbacks along public right-of-way shall be less than six (6) feet.
 7. Open space shall be clearly marked and the use and maintenance shall be noted.
-

Engineer's Report

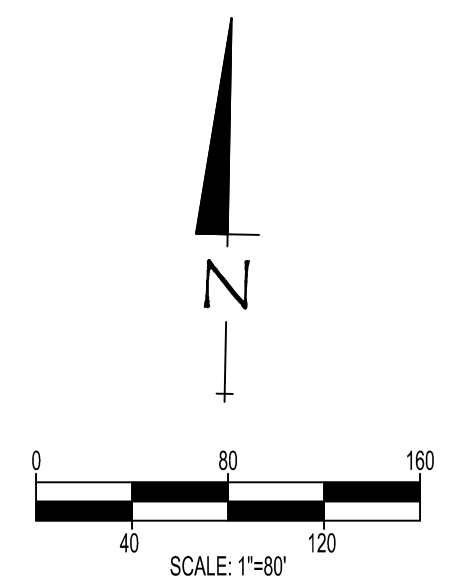
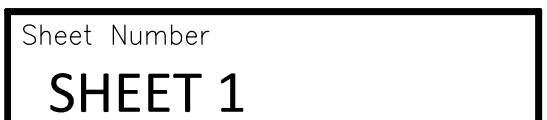
The Engineering Department has no other comments or concerns with this proposal.

OPELIKA UTILITIES

No comment.

Opelika Power Services

This is inside the Opelika Power Service territory.

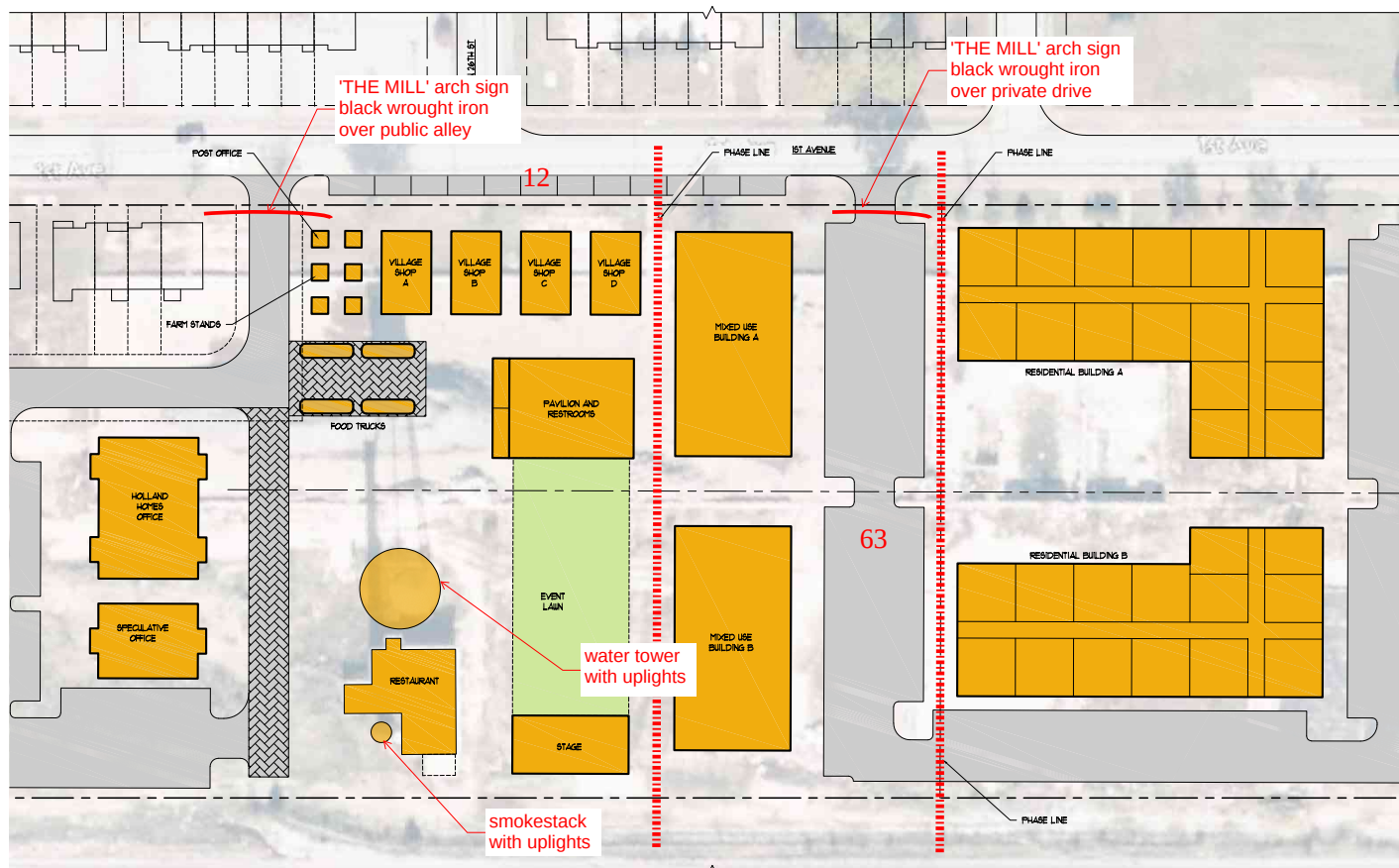




TEXT

UPLIGHTS

UPLIGHTS





PETITION FOR ANNEXATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

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

PC DEADLINE: 3/1/22 PC MEETING: 3/12/22

AGENDA ITEM # 2807



SITE ADDRESS: SW of Intersection of Hwy 431 and Cusseta Rd.
PROPERTY OWNER: William B. Lowe and Mary Susan Haines

APPLICANT: William B. Lowe

Mary Susan Haines

MAILING ADDRESS: 297 Wheatlan Dr, Lexington, Va, 24450

315 Payne St, Auburn, AL

PHONE NUMBER: 540-460-8516

Phone

FAX NUMBER: 251-648-9432 36830

EMAIL ADDRESS: William.lowe@svu.edu

hainesms1h@gmail.com

PARCEL INFORMATION

Tax Parcel Number: 03-04-19-0-000-006.000

Street Address: Hwy 431

Current Land Use: Timber

Proposed Zoning: R-1

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

Description of proposed use: Timber

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

1. Is this property(s) contiguous with Opelika City limits? yes
2. What is the population of proposed annexed area? 0
3. What is the population by race? 0 White, 0 Black, 0 Hispanic, 0 Asian, 0 Other
4. How many registered voters reside in proposed annexed area? 0
5. Are there any businesses in proposed annexed area? No

List type of business and location: N.A.

Proposed Zoning: R-1

Fee:

NO DWELLINGS
\$250.00 per dwelling or
\$250.00 per business

TOTAL =

PAID 0

OWNERS SIGNATURE: <u>William B. Lowe</u>	<u>2/23/22</u>	<u>Mary Susan Haines</u>	DATE: <u>2/28/22</u>
(PRINT NAME) <u>William B. Lowe</u>		<u>Mary Susan Haines</u>	

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

STATE OF ALABAMA

LEE COUNTY

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

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

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

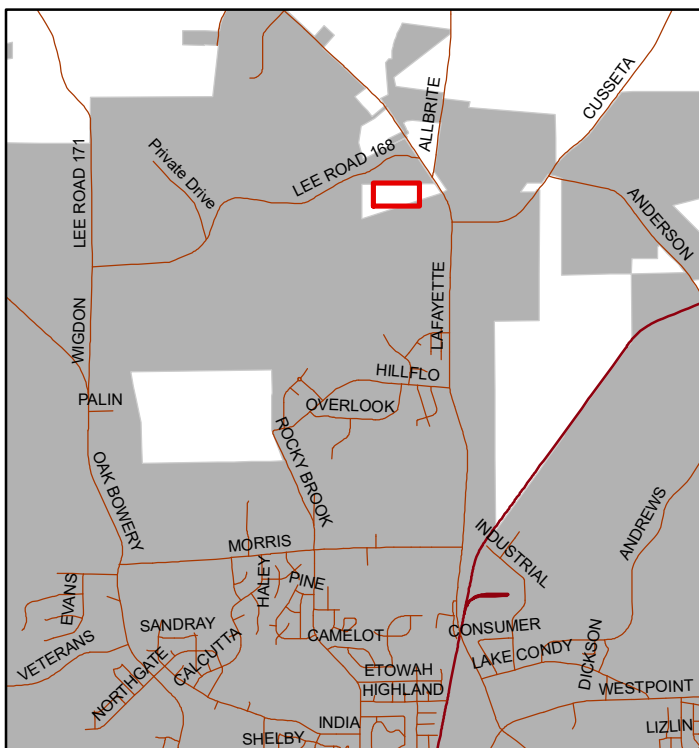
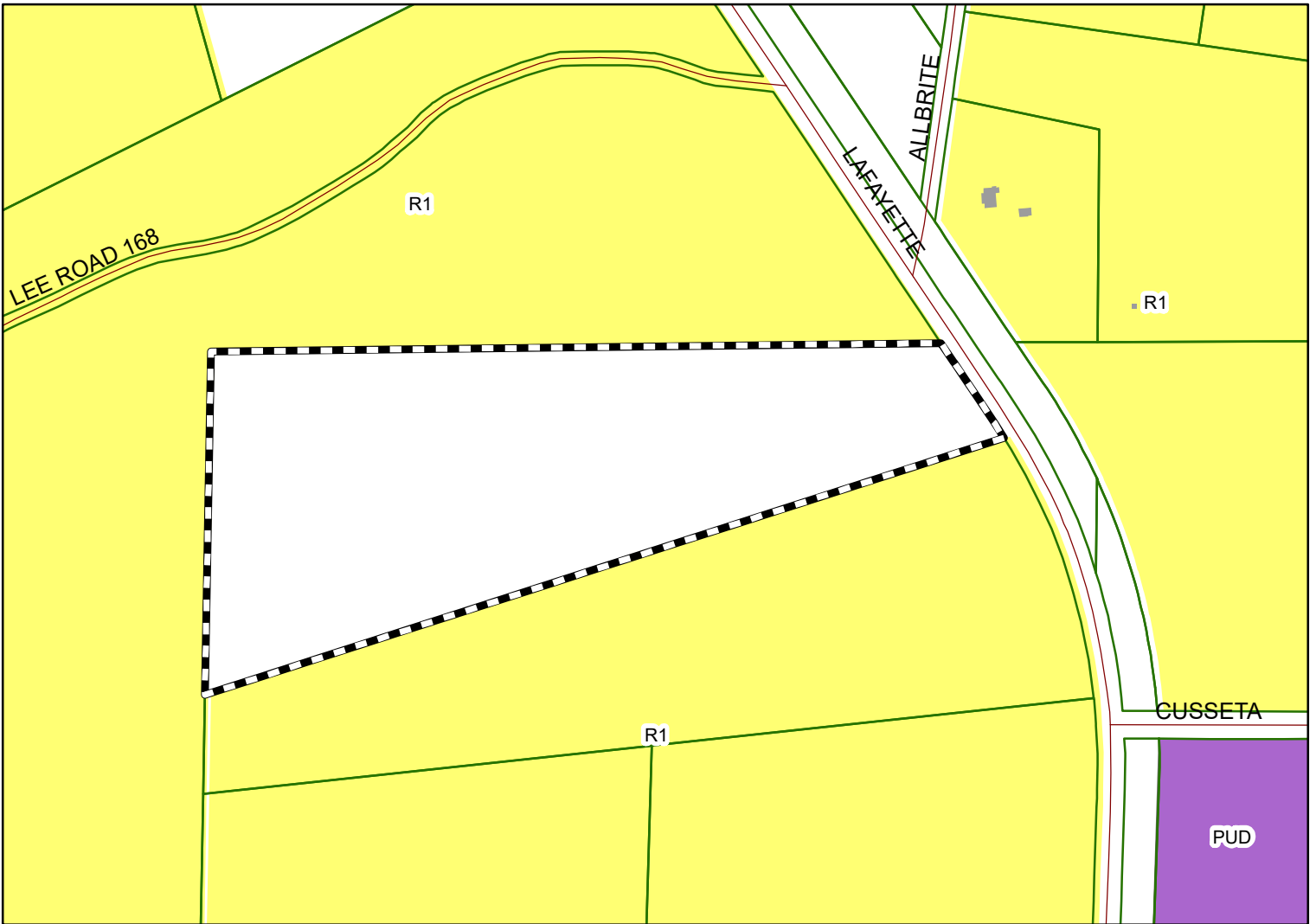
SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE (legal description)

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

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

RESPECTFULLY SUBMITTED this the 28th day of February, 2022.

LOWE & HAINES ANNEXATION LAFAYETTE PARKWAY (HWY 431) R-1 ZONE REQUESTED, F-12



The applicant is requesting to annex 32.6 acres. The City limits is adjacent on all sides of the property. A R-1 zone is requested.



Subject Property

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CITY OF OPELIKA
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item: F-12

Action Requested: Annexation and Zoning

Location of Property: Lafayette Parkway (Hwy 431)

Property Owner: William Lowe and Mary S. Haines

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1 (Rural District)

Existing Land Use: Undeveloped

Adjacent Zoning/Land Use: North: R-1 (Undeveloped)
South: R-1 (Undeveloped)
East: R-1 (Undeveloped)
West: R-1 (Undeveloped)

Staff Comments

The applicant is requesting to annex one lot described as 32.6 acres. The property is currently used for timber. The property is located on Lafayette Parkway near Cusseta Road and Lee Road 168 (this property ends near the Lee County Refuse Center).

The city limits are adjacent to the annexation property on three (3) sides and contiguous along Lafayette Parkway. The property owners currently have this parcel and an adjacent tract (30.8 acres) listed for sale according to the applicant's representative. The property owners wish to annex this portion of the property to be in the corporate limits so both tracts will be in one jurisdiction.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The applicant is requesting a R-1 zoning district.

Staff recommends the Planning Commission send a positive recommendation to City Council to annex the 32.6 acres and zone the properties R-1.

Engineer's Report

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

OPELIKA UTILITIES

Opelika Utilities presently do not serve this annexation.

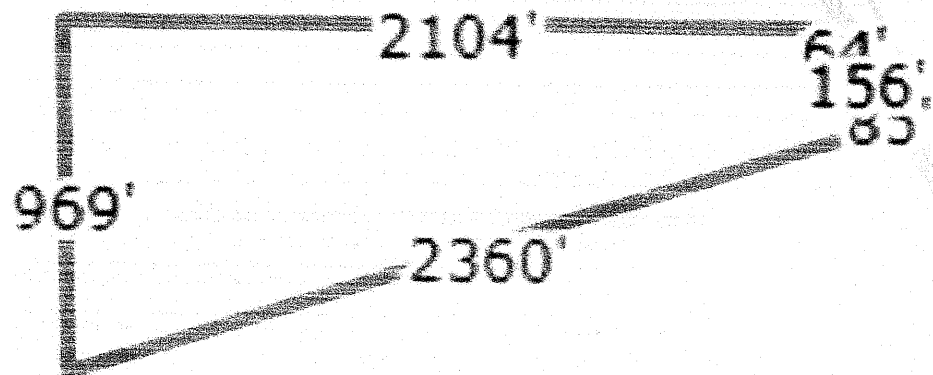
Opelika Power Services

This is outside of the Opelika Power Service territory.

ate Pkwy

168

174



Cusseta Rd

431

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: March 22, 2022

Agenda Item #: G-13

Action Requested:

- Two minor changes to the sign regulations found in Section 9 of the Zoning Ordinance. Including revisions to:
 - o Section 9.5 General Provisions, 24. Changeable Copy Signs
 - o Section 9.7 Table 9.7(2) Sign Requirements for Other Permitted Types of Temporary Signs

Staff Discussion

In 2021, the City of Opelika brought substantial changes to the sign regulations to made the review of signs completely content neutral. It did not significantly impact the amount of signage for most signs or the height of signs allowed. During a recent review, staff found two minor areas that needed some adjustment.

(1) Changeable Copy Signs.

- a. As part of a permitted ~~on-premise~~ freestanding sign or wall sign and notwithstanding Section 9.4: Prohibited Signs, or any other provision of this Section IX to the contrary, a an on-premise changeable copy sign, manual or electronic (LED), may be installed. The changeable copy sign shall not occupy more than fifty percent (50%) of the total sign area of the freestanding sign or wall sign.
- b. Notwithstanding Section 9.4: Prohibited Signs, or any other provision of this Section IX to the contrary, the static display time for each message on a an on-premise changeable copy sign shall be at least ten (10) seconds, and the time to change from one (1) message to another shall be no greater than two (2) seconds.
- c. In no event shall the message scroll in any direction.
- d. All changeable copy signs shall be subject to the illumination standards of Section 9.5(5).

- e. Changeable copy signs must include a default designed to freeze a display in one (1) position if a malfunction occurs.
- f. Electronic message signs must have a process for modifying displays and lighting levels where and if directed by the Alabama Department of Transportation or the City Engineer to assure safety of the motoring public.

Table 9.7(2): Signs Requirements for Other Permitted Types of Temporary Signs			
Zoning Districts	R-1, R1-A, R-2, R-3, R-4, R-4M, R-5, R-5M, VR, PRD, PUD	C-1, VC C-2, C-3, M-1, M-2, I-1	AP, PUD, R/E, FP, GC, HOD
Maximum Number of Temporary Signs Per Parcel [1]	8	4	4
Maximum Sign Area for a Temporary Sign	6 sf.	32 46 sf.	32 46 sf.
Maximum Sign Height for a Temporary Freestanding Sign	6 ft.	6 ft.	6 ft.
Maximum Sign Height for a Temporary Banner Sign or Window Sign	15 ft.	15 ft.	15 ft.
Minimum Sign Setback required to be maintained by a Temporary Ground Sign from any property line or from the edge of any paved street or road [2]	3 ft.	3 ft.	3 ft.
Minimum Spacing that is required to be maintained by a Temporary Ground Sign from any other Temporary Ground Sign	15 ft.	15 ft.	15 ft.
Maximum Aggregate Sign Area Allocated for All Temporary Signs on a Parcel [3]	48sf.	64 sf.	64 sf.
Table Notes: [1] No more than one sign may be a banner sign. Temporary banner signs may be displayed for a maximum duration of 30 days up to three times per calendar year. [2] The minimum sign setbacks do not apply to temporary wall signs, banner signs, or window signs. [3] There is no limit to the number of separate messages that may appear on the allowable surface(s) of any Temporary Sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.			

The proposed regulations remove the word “on-premise” from Section 9.5.24, which was an oversight from the original changes. The sign regulations no longer make any distinctions between on-premise and off-premise signage.

The second change alters the size of allowable signs from 16 square feet to 32 square feet. Many temporary signs are made from sheets of plywood which are 32 square feet. This will allow many existing temporary signs to remain conforming.

Staff Recommendation: Staff recommends approval of these changes.

Engineering Department Report

No report.

Opelika Utilities Board Report

No report.

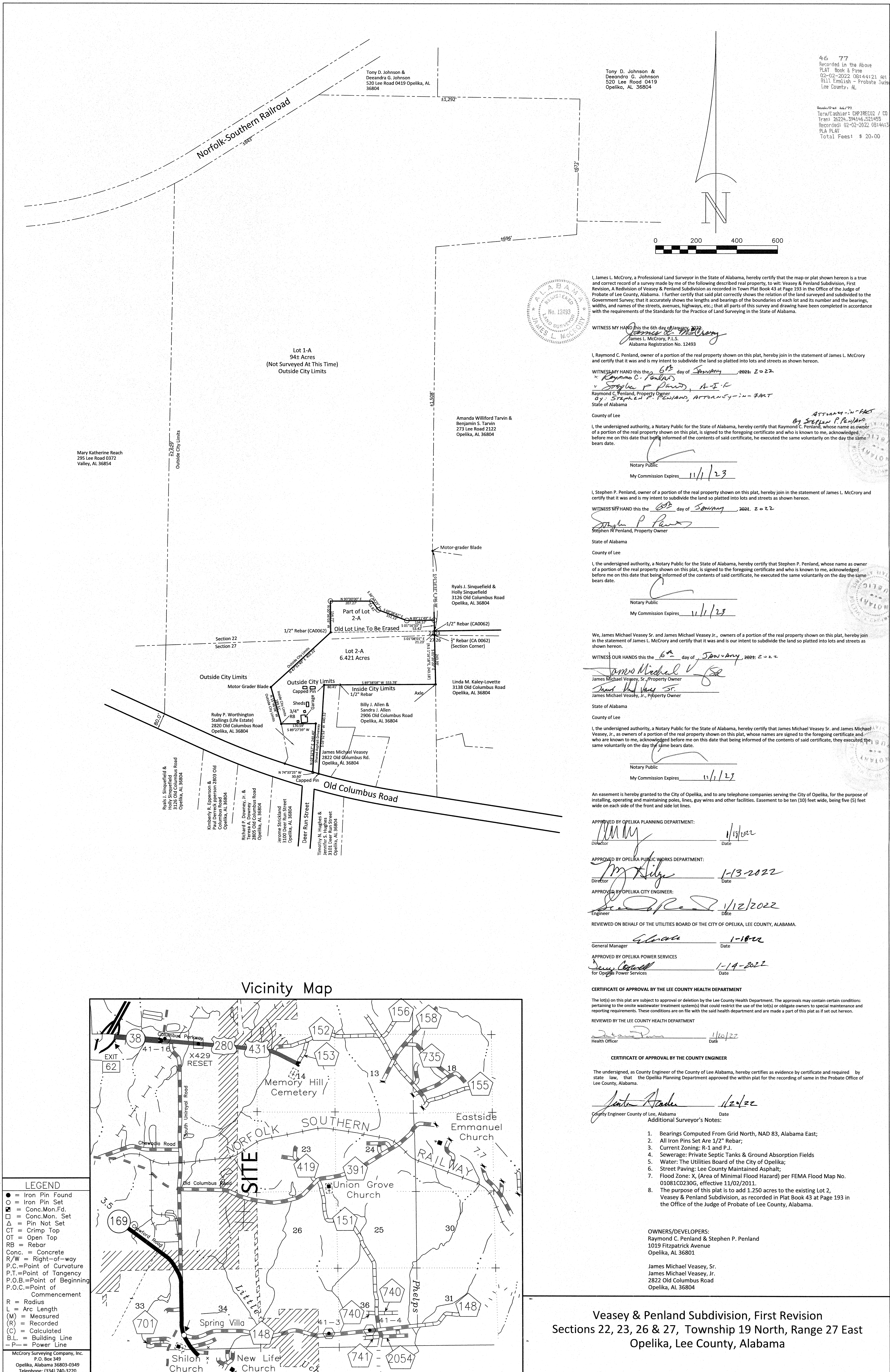
Opelika Power Services Report

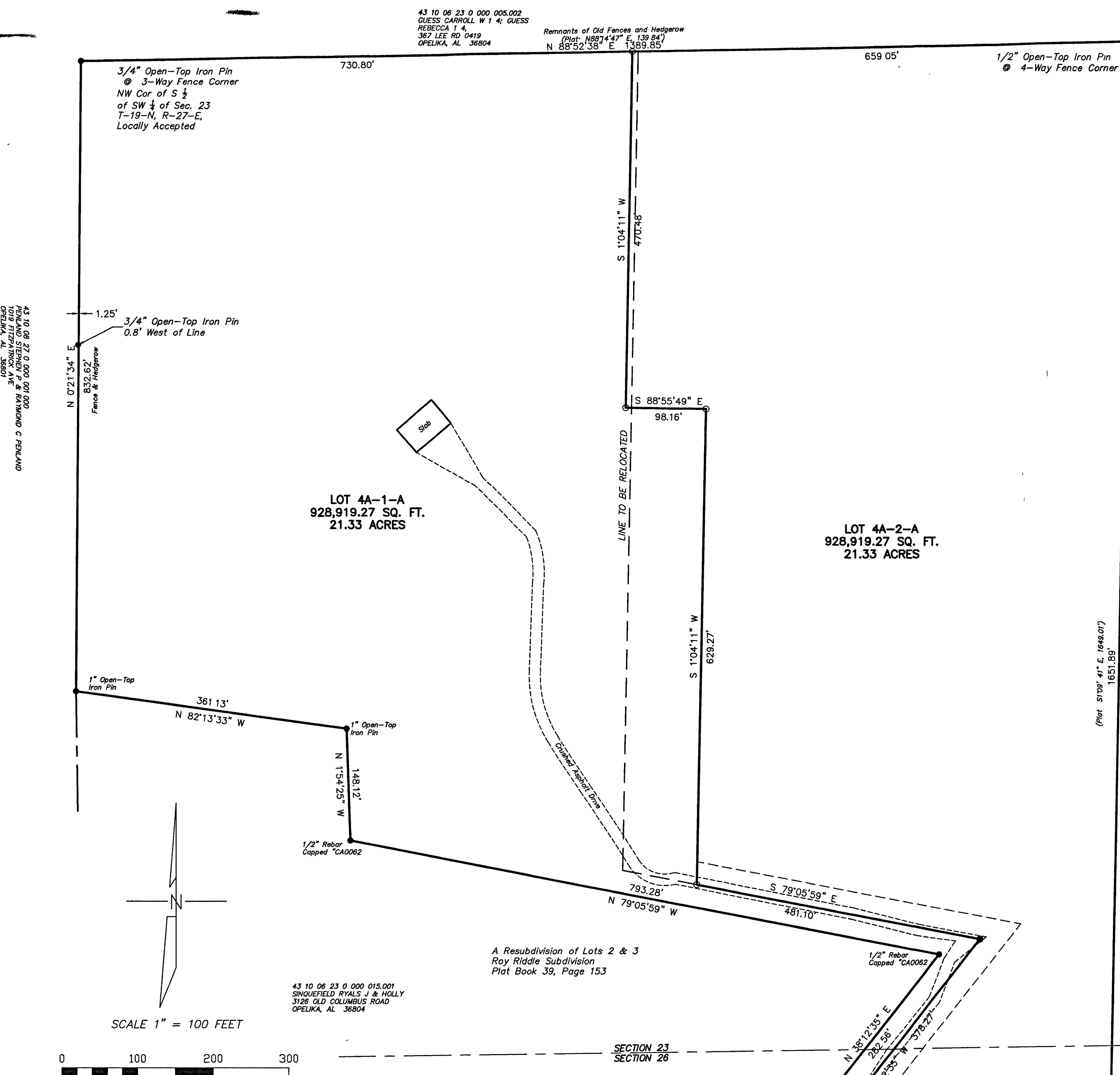
No report.

City of Opelika
Planning Commission
Planning Department Report

Administrative Plats Recorded February 2022

Name	Description
Veasy and Penland Subdivision, First Revision,	Old Columbus Road, combining two lots into one.
A Resubdivision of Lot 4A Roy Riddle Subdivision a Resubd. of Lots 3 & 4, First Rev.	Old Columbus Road, subdividing from two lots to four lots.
Corrective Plat of Earl Ledbetter Subdivision	Lee Road 146, correct an incorrect property line.
Rock Ridge Farms, Lot 2 & 3, Summers Trust Revision Subdivision	Lee Road 154, adjusting rear property line.
May Subdivision, Second Revision, Resub. Lots 1 & 2, May Subdivision, First Revision	Morris Avenue and Rocky Brook Road, move a property line and create a 20-foot joint ingress and egress easement.





OWNERS:
JOE ANTHONY & CHARLOTTE D. KNOWLES
BENJAMIN S. & AMANDA W. TARVIN
3506 MARVIN PARKWAY, LOT 1
OPELIKA, AL 36804

ZONING -----PJ
FLOOD ZONE -----"X"
WATER -----OPELIKA
SEWER -----NO

*Per FIRM Map #01081C0230G, Zone "X" is an area determined to be outside the 0.2% annual chance floodplain.

NOTE:
References:
1) A Plot of Roy Riddle Subdivision, A Resubdivision of Lots 2 & 3 as Recorded in Plot Book 39, Page 153 in the Office of the Probate Judge of Lee County, Alabama.
2) Plot of Roy Riddle Subdivision, as recorded in Plot Book 13, Page 212, in the Office of the Judge of Probate of Lee County, Alabama.
3) An unrecorded Plot of Roy Riddle Subdivision, A Resubdivision of Lots 3 & 4.
4) Deed of an Ordinance Assenting to Intention as recorded in Deed Book 2328, Page 771 in the Office of the Judge of Probate of Lee County, Alabama.
5) Plot of A Resubdivision of Lot 4A Roy Riddle Subdivision, A Resubdivision of Lots 3 & 4 as recorded in Plot Book 44, Page 48 in the Office of the Probate Judge of Lee County, Alabama.
Basis of Bearings is Alabama State Plane, East Zone, NAD 83.
Without relieving any other legally responsible parties, each lot owner is responsible for instituting erosion control measures during the construction of any improvements on said lot.
The Contractor and/or Developer are responsible for providing building sites free of drainage problems.
There will only be a single driveway allowed for both lots centered on the access easement which will be the only access point allowed.
Existing paved drive shall continue to serve all current and future users.
Easements are privately maintained. Structures, including fences, are prohibited on easements.
Access to easements shall not be restricted.
No other information on easements was provided to the surveyor. The surveyor is not liable for undisturbed easements or those not readily visible.

A RESUBDIVISION OF LOT 4A ROY RIDDLE SUBDIVISION A RESUBDIVISION OF LOTS 3 & 4 FIRST REVISION

OPELIKA SEC. 23 & 26 LEE COUNTY T-19-N ALABAMA R-27-E

I, JAMES D. MILLER, A REGISTERED SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING OF A RE-SUBDIVISION OF LOT 4A, ROY RIDDLE SUBDIVISION A RESUBDIVISION OF LOTS 3 & 4, 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; THAT SAID PLAT SHOWS THE RELATIONSHIP OF THE LAND SUBDIVIDED TO THE GOVERNMENT SURVEY; THAT IT SHOWS THE LENGTHS AND BEARINGS OF THE BOUNDARIES OF EACH PARCEL AND ITS NUMBER, AND THE NAME OF THE ROAD SHOWN HEREON. ACCORDING TO MY SURVEY OF OCTOBER 29, 2021.

JOE ANTHONY & CHARLOTTE D. KNOWLES, OWNERS OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF JAMES D. MILLER AND CERTIFY THAT IT WAS AND IS THEIR PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN. IN WITNESS WHEREOF, JOE ANTHONY & CHARLOTTE D. KNOWLES HAVE CAUSED THEIR NAMES TO BE HERETO SIGNED ON THIS, THE 13 DAY OF December, 2021.

Joe Anthony Knowles, Owner Charlotte D. Knowles, Owner

I, Blake Tidmore, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT JOE ANTHONY & CHARLOTTE D. KNOWLES, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner

I, Sarah Gernick, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT BENJAMIN S. & AMANDA W. TARVIN, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner

I, Sarah Gernick, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT BENJAMIN S. & AMANDA W. TARVIN, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner

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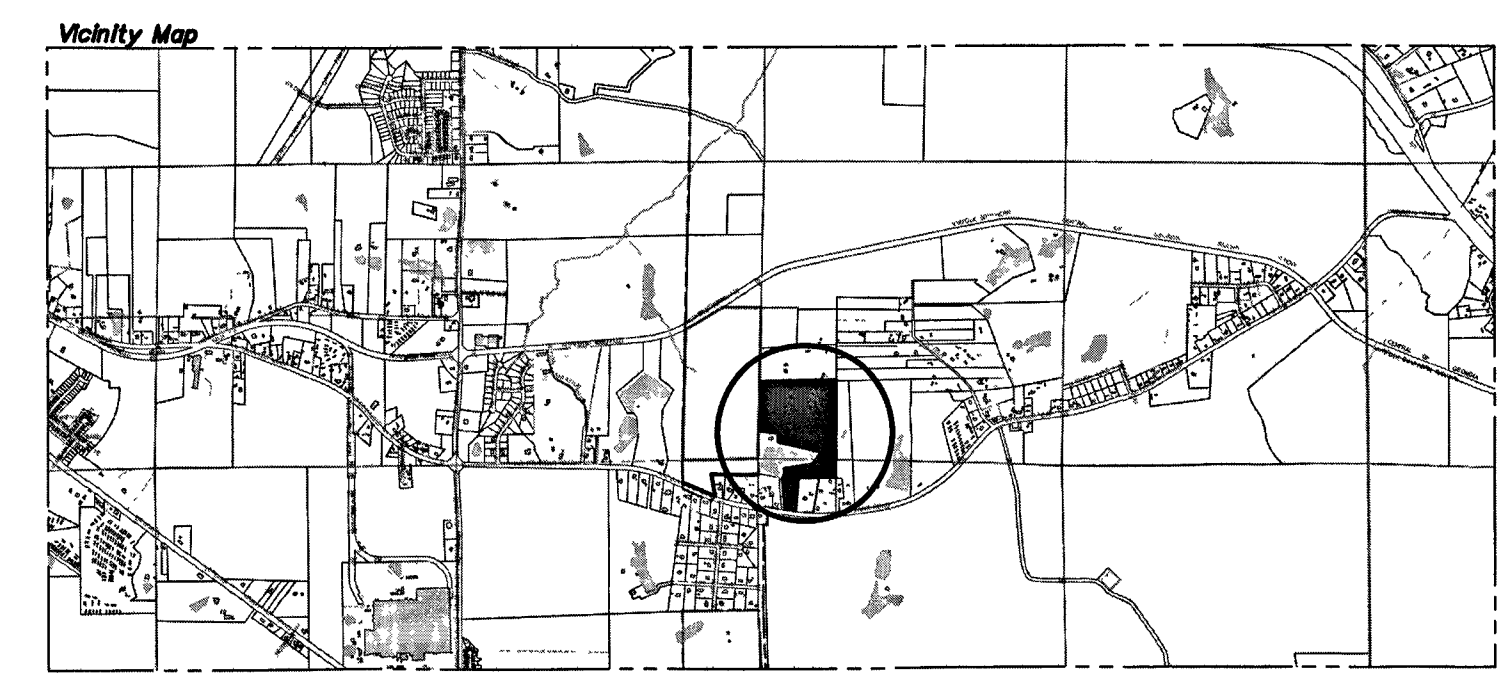
Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner

I, Sarah Gernick, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT BENJAMIN S. & AMANDA W. TARVIN, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner

I, Sarah Gernick, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT BENJAMIN S. & AMANDA W. TARVIN, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

Benjamin S. Tarvin, Owner Amanda W. Tarvin, Owner



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All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed or transmitted in or by any computer or other systems without the prior written permission of the surveyor.
Copies of this plan without an original seal are not valid.

CERTIFICATE OF APPROVAL BY THE LEE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF THE COUNTY OF LEE, ALABAMA, HEREBY CERTIFIES AS EVIDENCED BY CERTIFICATE AND REQUIRED BY STATE LAW, THAT THE OPELIKA PLANNING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA, THIS, THE 17 DAY OF FEBRUARY, 2021.

County Engineer

CORRECTIVE PLAT OF EARL LEDBETTER SUBDIVISION

LEE
SECS. 10, 11, 14 & 15

COUNTY
T-19-N

ALABAMA
R-27-E

I, JAMES D. MILLER, A REGISTERED 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 KNOWLEDGE, INFORMATION AND BELIEF; THAT SAID PLAT SHOWS THE RELATIONSHIP OF THE LAND SUBDIVIDED TO THE GOVERNMENT SURVEY; THAT IT SHOWS THE LENGTHS AND BEARINGS OF THE BOUNDARIES OF EACH PARCEL AND ITS NUMBER, AND THE NAME OF THE ROAD SHOWN HEREON. ACCORDING TO MY SURVEY OF DECEMBER 11, 2021.

CARLETON P. & KERRY J. LEDBETTER, OWNERS OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF JAMES D. MILLER AND CERTIFY THAT IT WAS AND IS THEIR PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN. IN WITNESS WHEREOF, CARLETON P. & KERRY J. LEDBETTER HAVE CAUSED THEIR NAMES TO BE HERETO SIGNED ON THIS, 28th DAY OF December, 2021.

Carleton P. Ledbetter
Carleton P. Ledbetter, Owner
Kerry J. Ledbetter
Kerry J. Ledbetter, Owner

I, James C. Hendricks, A NOTARY PUBLIC FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT CARLETON P. & KERRY J. LEDBETTER, WHOSE NAMES ARE SIGNED TO THE CERTIFICATE HEREON, WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS, 28th DAY OF December, 2021.

James C. Hendricks
Notary Public
9/21/2025
My Commission Expires:

THE LEDBETTER RESIDENTIAL TRUST, OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOINS IN THE STATEMENT OF JAMES D. MILLER AND CERTIFY THAT IT WAS AND IS ITS PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AND PARCELS AS SHOWN. IN WITNESS WHEREOF, LEDBETTER RESIDENTIAL TRUST HAS CAUSED ITS NAME TO BE HERETO SIGNED BY CHARLES EARL LEDBETTER AS ITS TRUSTEE ON THIS, THE 28th DAY OF December, 2021.

Charles Earl Ledbetter
Charles Earl Ledbetter, Trustee

I, James C. Hendricks, A NOTARY PUBLIC IN AND FOR THE STATE OF ALABAMA AT LARGE, HEREBY CERTIFY THAT CHARLES EARL LEDBETTER, WHOSE NAME IS SIGNED TO THE CERTIFICATE HEREON, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME THAT, BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF OFFICE ON THIS, THE 28th DAY OF December, 2021.

James C. Hendricks
Notary Public
My Commission Expires: 9/21/2025

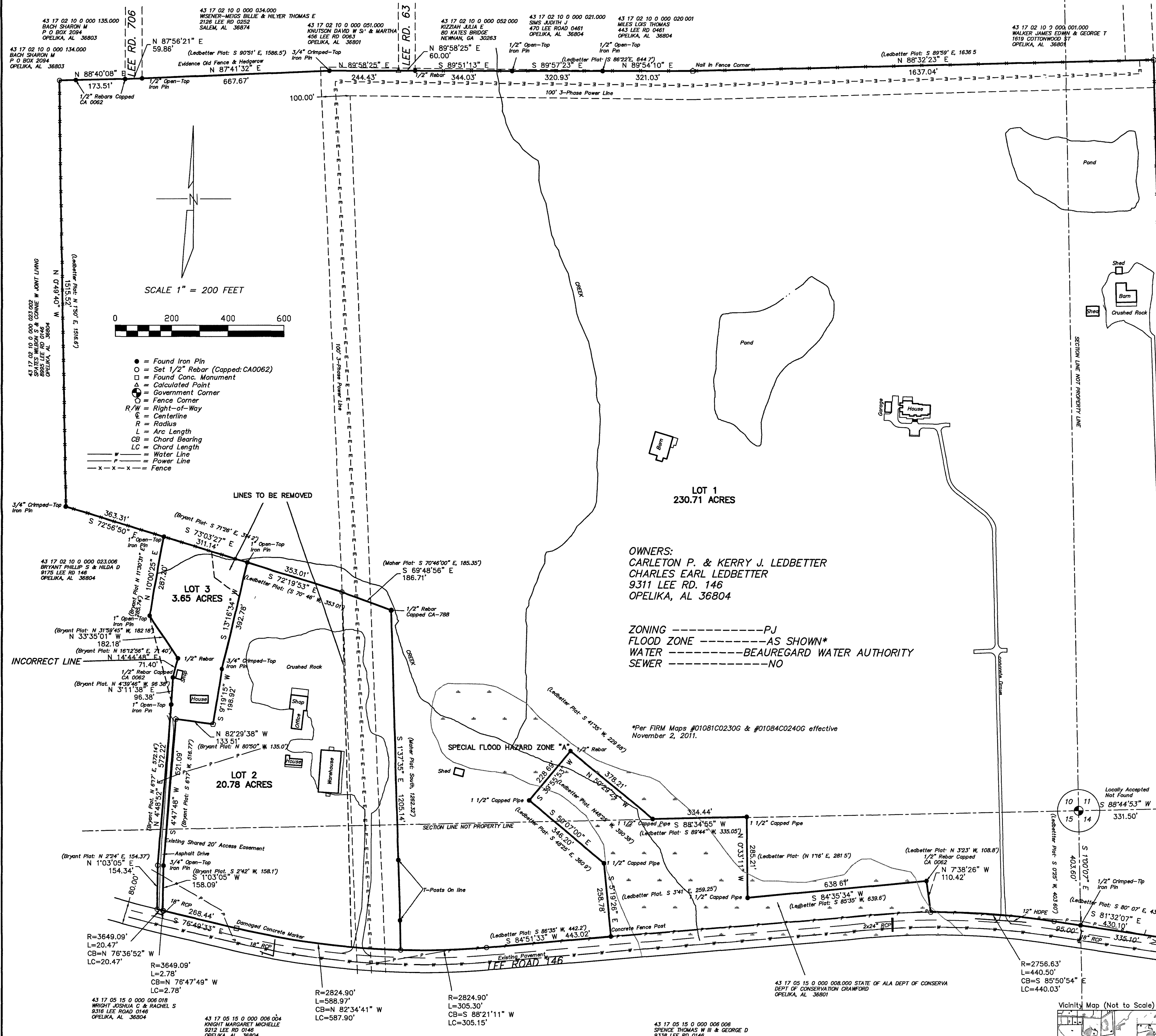
THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE LEE COUNTY HEALTH DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS). THE APPROPRIATENESS OF A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN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

REVIEWED BY THE LEE COUNTY HEALTH DEPARTMENT, LEE COUNTY, ALABAMA.

Sanitation Officer
Sanitation Officer

CERTIFICATE OF APPROVAL BY THE LEE COUNTY ENGINEER
THE UNDERSIGNED, AS COUNTY ENGINEER OF THE COUNTY OF LEE, ALABAMA, HEREBY CERTIFIES AS EVIDENCED BY CERTIFICATE AND REQUIRED BY STATE LAW, THAT THE OPELIKA PLANNING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA, THIS, THE 7th DAY OF February, 2022.

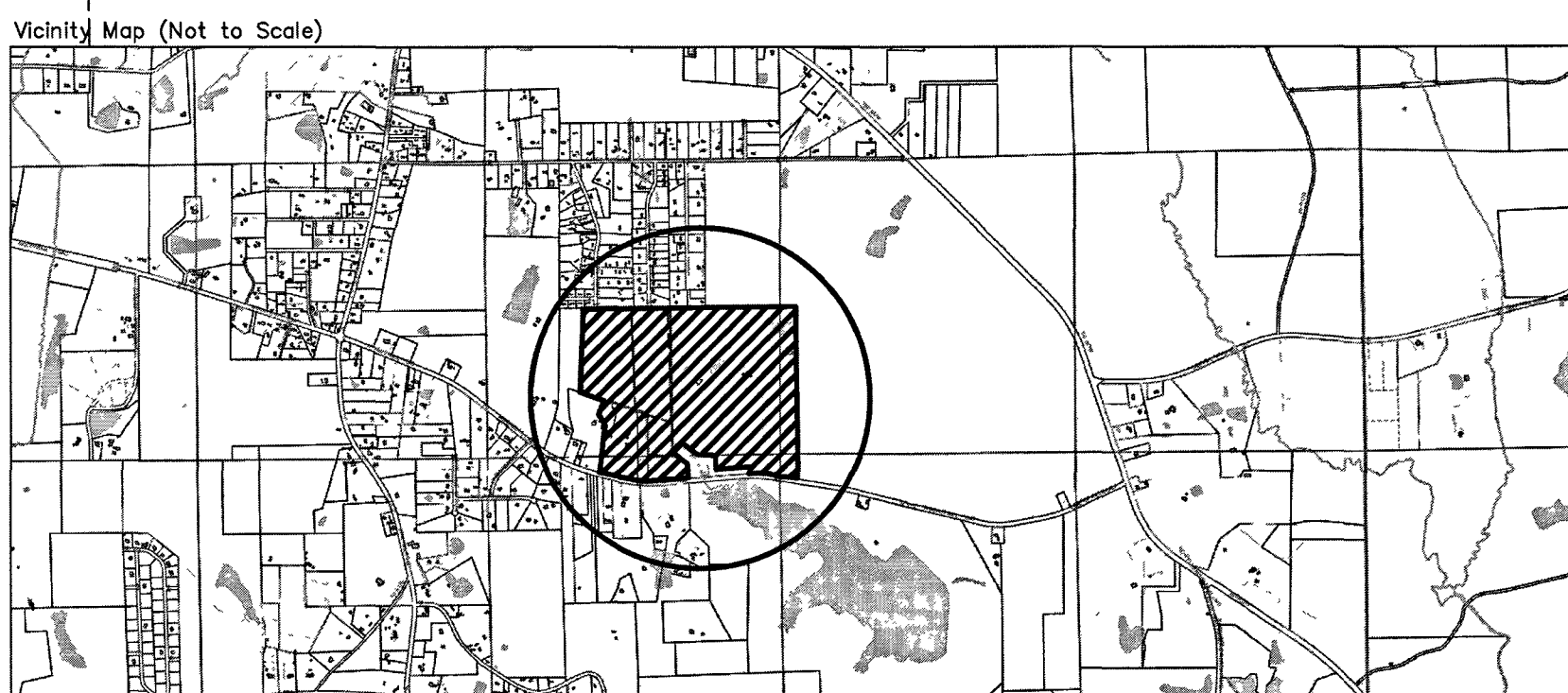
Sanitation Officer
County Engineer



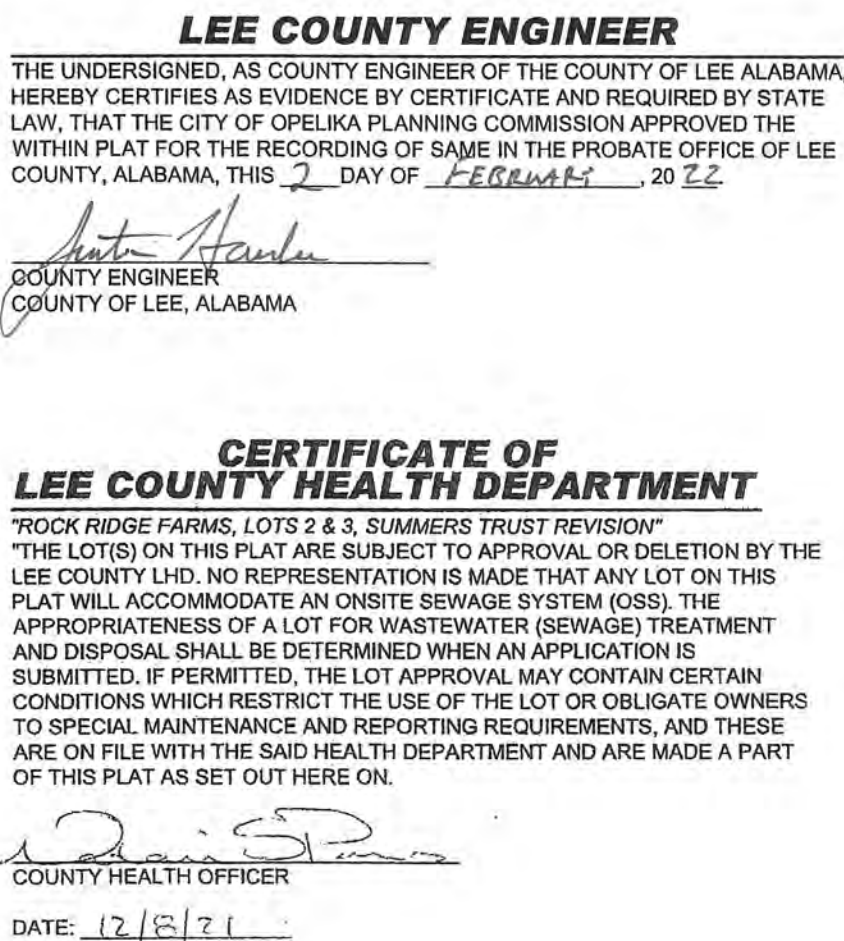
OWNERS:
CARLETON P. & KERRY J. LEDBETTER
CHARLES EARL LEDBETTER
9311 LEE RD. 146
OPELIKA, AL 36804

ZONING -----PJ
FLOOD ZONE -----AS SHOWN*
WATER -----BEAUREGARD WATER AUTHORITY
SEWER -----NO

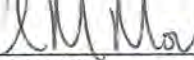
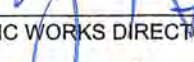
*Per FIRM Maps #01081C0230G & #01084C0240G effective November 2, 2011.



NOTES:
Basis of Bearings is Grid North, Alabama State Plane Coordinate East Zone, NAD 83 (GCRS 96), RTK GPS using the ALDOT CORS Network is the source
Source of information for this Survey are:
1) Unrecorded plat for C. Earl Ledbetter by David H. Miller (AL Cert. #6259) dated June 24, 2003.
2) Unrecorded plat for Philip S. and Hilda Dianne Bryant by David H. Miller (AL Cert. #6259) dated January 28, 1994 and revised September 22, 1998.
3) Exhibit "A" of a Plat for Charles E. & Karen Sue Ledbetter Life Estate by Michael T. Maher (AL Cert. No. 29993) dated June 24, 2016.
4) Unrecorded Plat for C. Earl Ledbetter by Tom W. Spence, Jr. (AL Cert. #10090) dated March 19, 1974.
5) Unrecorded plat for Earl Ledbetter by David H. Miller (AL Cert. #6259) dated December 12, 1987.
ANY FURTHER ACCESS TO COUNTY ROADS IS TO BE PERMITTED BY THE LEE COUNTY HIGHWAY DEPARTMENT



THE PLAT SHOWN HEREON MEETS ALL REQUIREMENTS
SET FORTH AND IS HEREBY APPROVED.

	<u>1/26/2022</u>
CITY PLANNER	DATE
	<u>1/24/2022</u>
CITY ENGINEER	DATE
	<u>1-24-2022</u>
PUBLIC WORKS DIRECTOR	DATE
	<u>1-27-22</u>
OPELIKA POWER SERVICES	DATE
	<u>1-24-22</u>
OPELIKA UTILITIES	DATE

I, JAY SHEPHERD, AS AN AUTHORIZED REPRESENTATIVE OF JBS DEVELOPMENTS INC., OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF D. NATHAN MCBRIDE, AND CERTIFIES THAT IT WAS AND IS MY INTENT TO SUBDIVIDE THE LAND SO PLATTED INTO LOTS AND STREETS AS SHOWN HEREON.

WITNESS MY HAND THIS THE 4 DAY OF February, 20 22.

AUTHORIZED REPRESENTATIVE
JBS DEVELOPMENT INC.

THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC FOR THE STATE OF ALABAMA, HEREBY CERTIFY THAT THE AUTHORIZED REPRESENTATIVE FOR JBS DEVELOPMENTS LLC, OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, ARE SIGNED TO THE FOREGOING CERTIFICATE AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

1/4/2022
DATE OF EXECUTION

David Nathan McBride
NOTARY PUBLIC

DAVID NATHAN MCBRIDE
Notary Public
Alabama State at Large

I, KENNETH HESTER, AS AN AUTHORIZED REPRESENTATIVE OF THE MARY NELL SUMMERS TRUST, OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF D. NATHAN McBRIDE, AND CERTIFIES THAT IT WAS AND IS MY INTENT TO SUBDIVIDE THE LAND SO PLATTED INTO LOTS AND STREETS AS SHOWN HEREON.

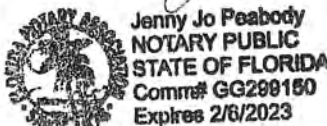
WITNESS MY HAND THIS THE 20 DAY OF October 2020

AUTHORIZED REPRESENTATIVE
MARY NELLE SUMMERS TRUST

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC FOR THE STATE OF ALABAMA, HEREBY CERTIFY THAT THE AUTHORIZED REPRESENTATIVE FOR JBS DEVELOPMENTS LLC, OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, ARE SIGNED TO THE FOREGOING CERTIFICATE AND WHO IS KNOWN TO ME. ACKNOWLEDGED BEFORE ME ON THIS DATE THAT BEING INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

12.28.2021
DATE OF EXECUTION

[Signature]
NOTARY PUBLIC



SURVEYOR'S NOTES

- 1) THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HEREON DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
- 2) SUBJECT TO ALL RIGHTS OF WAYS, EASEMENTS AND RESTRICTIONS SHOWN OR NOT SHOWN ON THIS MAP, THE FOLLOWING ARE RECORDED:
- 3) ALL EASEMENTS, IF ANY, WILL BE MAINTAINED BY THE PROPERTY OWNER.
- 4) CURRENTLY PUBLIC WATER IS NOT AVAILABLE TO THIS SITE. IF ANY DEVELOPMENT OCCURS ON THIS PROPERTY, AN ENGINEERED DESIGN TO INSTALL A WATER MAIN MAY BE REQUIRED.
- 5) SUBJECT AND ADJOINING PROPERTIES ARE NOT ZONED.
- 6) THE EXISTING WATER MAIN, SHOWN APPROXIMATELY IN THE VICINITY MAP, HAS NOT BEEN FIELD VERIFIED.
- 7) SECTION OF THE MAP IS PER REFERENCE #1.
- 8) ALL DRIVEWAYS MUST BE APPROVED THROUGH THE LEE COUNTY HIGHWAY DEPARTMENT, CALL LEE COUNTY HIGHWAY DEPARTMENT AT (334) 737-7311.
- 9) THE 0.91 AC. LOT OF SECTION 22, TOWNSHIP 22N, RANGE 22E & 3 OF ROCK RIDGE FARMS SUBDIVISION AS SHOWN HEREON, TO SURVEY THAT PORTION OF THE SUMMERS TRUST ESTATE ONLY.
- 10) AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANY SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLES, LINES, GUY WIRES, AND OTHER FACILITIES. TOTAL EASEMENT WIDTH IS TEN (10) FEET WIDE WITH FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
- 11) UTILITY CORNERS FOUND ARE 12" REBAR & CAP (AL233455) UNLESS NOTED OTHERWISE.

REFERENCES

- 1) PLAT BOOK 45, PAGE 181
2) DEED BOOK 1721, PAGE 91
3) PLAT BOOK 24, PAGE 64

**CERTIFICATE OF APPROVAL
SMITHS WATER & SEWER AUTHORITY**

THE UNDERSIGNED, AS AUTHORIZED BY THE SMITHS WATER & SEWER AUTHORITY
HEREBY APPROVED THE WITHIN PLAT FOR RECORDING OF THE SAME IN THE PROBATE
OFFICE OF LEE COUNTY, ALABAMA, THIS 8TH DAY OF December, 2021.

AUTHORIZED SIGNATURE 12/8/21
DATE

IF ANY DEVELOPMENT OCCURS ON THIS PROPERTY, AN ENGINEERED DESIGN TO REPLACE THE EXISTING WATER MAIN SHOWN HEREON MAY BE REQUIRED. SANITARY SEWER SERVICE MAY NOT BE AVAILABLE IN THIS AREA. WATERLINE SHOWN HEREON IS PROPOSED AND/OR BEING INSTALLED.

PARCEL 1
14.0 Total Acres:

FLOOD CERTIFICATION

THIS PROPERTY IS NOT LOCATED IN A FEMA DESIGNATED
SFHA AS PER THE FIRM OF LEE COUNTY, ALABAMA, MAP NO
01081C00095G, EFFECTIVE: NOVEMBER 2, 2011.

DIVISION DETAILS

- | | |
|-------------------------|-------------|
| > TOTAL ACREAGE: | 26.7 ACRES± |
| > TOTAL NUMBER OF LOTS: | 3 |
| > SMALLEST LOT SIZE: | 6.4 ACRES± |
| > PROPERTY ZONED: | PLANNING OR |

TAX ID: 43 10 01 12 0 000 005.000
43 10 01 12 0 000 006.000

LEGEND**

- | | | | |
|---|-------------------------------|---|----------------------------|
| ⊙ | IRON PILE FOUND |  | PAINTED TREE |
| ⊙ | 1/2" REBAR & CAP SET (CAL44F) |  | PROPERTY LINE |
| ⊙ | CALCULATED POINT | | EASEMENT LINE |
| ⊙ | 1/2" REBAR & CAP |  | ADJOINING PROPERTY |
| ⊙ | OPEN TOP PIPE |  | PREVIOUS RIGHT-OF-WAY LINE |
| ⊙ | MOTOR GRADE BLADE |  | NOT TO SCALE |
| ⊙ | POINT OF COMMENCEMENT | | **SYMBOLS ARE NOT TO SCALE |
| ⊙ | POINT OF BEGINNING | | |
| ⊙ | NOW OR FORMERLY | | |
| ⊙ | RIGHT-OF-WAY | | |
| ⊙ | REFERENCE IRON | | |
| ⊙ | RECORD BEARING / DISTANCE | | |

"I 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."

D. NATHAN McBRIDE
AL. LICENSE NO. 23345

12/12/2021
DATE



cBride & McGill, Inc.
Civil Engineering & Land Surveying

2505 Crawford Road, Phenix City, AL 36867
Office: (334) 297-5717 - Fax: (334) 297-1066
Email: comments@mcbride-mcgill.com
Web: www.McBride-McGill.com

REV	REVISION DESCRIPTION	DATE
FIELD SURVEYED ON: DEC. 1, 2021		
JOB NO.: 1698.21		DRAWN BY: B. HARRIS

THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT
UNLESS IT HAS BEEN PROPERLY SEALED AND BEARS THE
ORIGINAL SIGNATURE OF A REGISTERED PROFESSIONAL OF
McBride & McGill.

"Rock Ridge Farms, Lots 2 & 3, Summers Trust Revision

A PROPERTY BOUNDARY SURVEY FOR THE REDIVISION OF LOTS 2 & 3,
ROCK RIDGE FARMS SUBDIVISION, AND PART OF THE SUMMERS TRUST
ESTATE, LOCATED IN SECTION 12, TOWNSHIP 19 NORTH,
RANGE 27 EAST, LEE COUNTY, ALABAMA

OWNER OF RECORD:
JBS Developments Inc
3703 18TH AVENUE, PHENIX CITY, AL 36861

DATE: DEC 6 2024

SCALE:

SHEET NO:

1 OF 1

