



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.**

July 26, 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 Only) - Public Hearing**
 1. Shaw Estates SD, 31 lots, accessed from Oak Bowery Road, Blake Rice, Barrett-Simpson, authorized representative for Auston Shaw, Preliminary Approval
 2. Fox Path SD, 28 lots, accessed from Hwy 29 N, Brandon Bolt, Bolt Engineering, authorized representative for Edgar Hughston Builder, Inc, Preliminary Approval
 - B. **REZONING AND PLAT (Preliminary Only) - Public Hearing**
 3. (a) Amendment to the Future Land Use Map, accessed from the 3250 block of Robert Trent Jones Trail, 2.6 acres, from an Institutional land use category to a mixed use category.

(b) Rezoning request, Max Vaughn, authorized representative for the Retirement Systems of Alabama, accessed at the 3250 block of Robert Trent Jones Trail, 2.6 acres, from I-1 to PUD.
 4. National Village SD, Phase 6B, 1 lot, accessed at the 3250 block of Robert Trent Jones Trail, Max Vaughn, authorized representative for the Retirement Systems of Alabama, Preliminary Approval
 - C. **PLAT (Preliminary and Final) - Public Hearing**
 5. Opelika Utilities Property SD, 5 lots, 4055 Water Street, Blake Rice, Barrett-Simpson, authorized representative for City of Opelika Water Works (Utilities Board of the City of Opelika) Preliminary and Final Approval
 - D. **FINAL PLAT**
 6. Legacy Village Townhomes SD, Phase 4, 20 lots, accessed from Legacy Circle, Brook Harris, authorized representative for Clayton Properties Group, Inc, Final Approval
 - E. **CONDITIONAL USE - Public Hearing**

7. Edward L. Pettigrew Sr., authorized representative for Starr Group, LLC, 2417 Frederick Road, Unit 4 and 5, C-2, GC-P, Vehicle accessory installation business.

F. **REZONING - Public Hearing**

8. (a) Amendment to the Future Land Use Map, accessed from Sportsplex Parkway, 154 acres, from a low-density residential land use category to a mixed-use category.

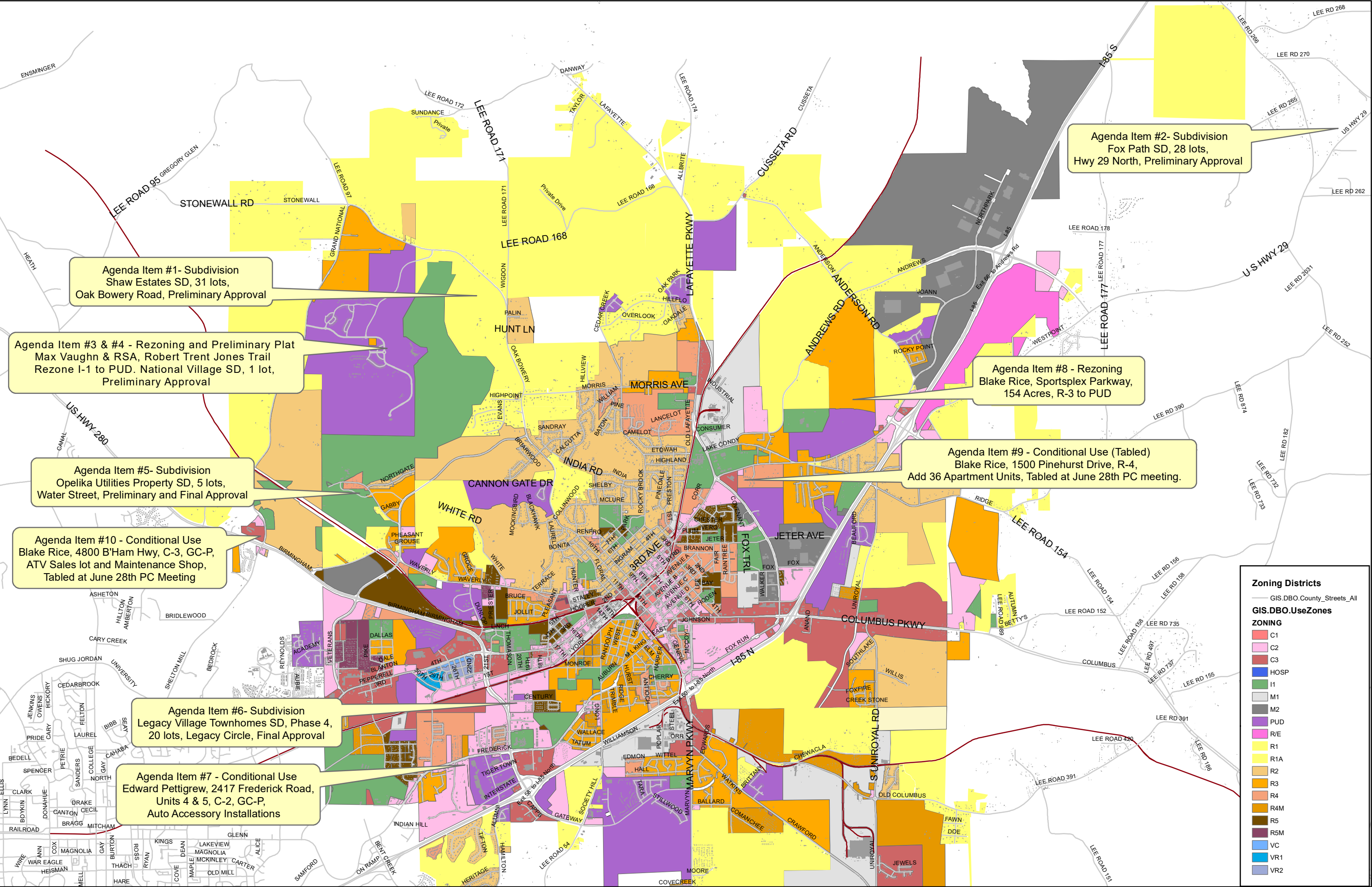
(b) Rezoning request, Blake Rice, Barrett-Simpson, authorized representative for 280 Land Company, LLC, Sportsplex Parkway, 154 acres, from R-3 to PUD

V. **OLD BUSINESS**

G. **CONDITIONAL USE - Public Hearing**

9. Blake Rice, Barrett-Simpson, authorized representative for Brookhaven Property Group, LLC, accessed at 1500 Pinehurst Drive (700 block of West Point Parkway), R-4, Add 36 apartment units to Pinehurst Apartments (*tabled at the February 22, 2022 meeting at the applicant's request*)
10. Blake Rice, Barrett-Simpson, authorized representative for Martin Burdette, accessed at 4800 Birmingham Highway (NW corner of Birmingham Hwy & Grand National Parkway), C-3, GC-P, ATV (All Terrain Vehicle) sales lot and maintenance shop. (*This item was tabled at the June 28, 2022 PC meeting*)

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



Agenda Item #1- Subdivision
Shaw Estates SD, 31 lots,
Oak Bowery Road, Preliminary Approval

Agenda Item #3 & #4 - Rezoning and Preliminary Plat
Max Vaughn & RSA, Robert Trent Jones Trail
Rezone I-1 to PUD. National Village SD, 1 lot,
Preliminary Approval

Agenda Item #5- Subdivision
Opelika Utilities Property SD, 5 lots,
Water Street, Preliminary and Final Approval

Agenda Item #10 - Conditional Use
Blake Rice, 4800 B'Ham Hwy, C-3, GC-P,
ATV Sales lot and Maintenance Shop,
Tabled at June 28th PC Meeting

Agenda Item #6- Subdivision
Legacy Village Townhomes SD, Phase 4,
20 lots, Legacy Circle, Final Approval

Agenda Item #7 - Conditional Use
Edward Pettigrew, 2417 Frederick Road,
Units 4 & 5, C-2, GC-P,
Auto Accessory Installations

Agenda Item #2- Subdivision
Fox Path SD, 28 lots,
Hwy 29 North, Preliminary Approval

Agenda Item #8 - Rezoning
Blake Rice, Sportsplex Parkway,
154 Acres, R-3 to PUD

Agenda Item #9 - Conditional Use (Tabled)
Blake Rice, 1500 Pinehurst Drive, R-4,
Add 36 Apartment Units, Tabled at June 28th PC meeting.

Zoning Districts

GIS.DBO.County_Streets_All

GIS.DBO.UseZones

ZONING

C1
C2
C3
HOSP
I1
M1
M2
PUD
R/E
R1
R1A
R2
R3
R4
R4M
R5
R5M
VC
VR1
VR2



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

June 28, 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

The City of Opelika Planning Commission held its regular monthly meeting June 28, 2022 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chairman Lewis Cherry, Mayor Gary Fuller, Mr. Ira Silberman, Councilman George Allen, Dr. Arturo Menefee, Ms. Lucinda Cannon, and Mr. Michael Hilyer.

MEMBERS ABSENT: Mrs. Leigh Whatley 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 May 24, 2022

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated we had some recent Zoning Ordinance text amendments that went through. The last of those that we have will be at the July 5th City Council meeting for a secondary reading and that's dealing with downtown residential and those design changes.

IV. NEW BUSINESS

A. PLAT (Preliminary Only) - Public Hearing

1. Foxrun SD, Phase 2, 123 lots, accessed from Village Drive, Daniel Holland, Holland Homes LLC, Preliminary Approval

Mr. Mosley reported the applicant is requesting preliminary plat approval for a 123-lot subdivision located in a planned unit development (PUD). The master plan and zoning were approved by City Council in September 2019 and amended by Planning Commission on March 23, 2021, and June 22, 2021. The master plan consists of 136 single family lots, 104 twin home lots, four open space lots, three amenity lots, and two future development lots along Fox Run Parkway.

The 90 single-family lots are located along Village Drive, Road A, Road C, and Road D. These lots will have the following area standards:

Single-family detached standards

- Min. Lot size = 4,200 sf
- Min. Lot Width = 40 feet
- Front Setback – 20 feet
- Rear Setback – 20 feet
- Side Setback – 5 feet
- FAR – 0.60 max
- *10' side yard on street setbacks*

All of the single family lots meet the minimum standards except Lot 159, 175, and 182 lot width. The setbacks and other area standards should be noted on the final plat.

The 32 twin home lots are located along Road B. These lots are comprised of duplexes split along the common wall to allow fee-simple ownership. The twin house lots have the following standards:

- Min. Lot size = 3,000 sf
- Min. Lot Width = 25 feet
- Front Setback – 10 feet
- Rear Setback – 20 feet
- Side Setback – 5 feet
- FAR – 0.65 max
- *10' side yard on street setbacks with four (4) 1" caliper trees planted as a buffer*

All of the twin home lots meet the standards. Lot 129 is 40,831 sf previously shown as detention and open space. Lot 130 is 244,608 sf previously shown as passive open space. The use of these lots, ownership, and maintenance needs to be noted on the final plat.

The proposed plat is largely in compliance with the approved master plan and the subdivision regulations.

Staff recommends preliminary plat approval subject to the following:

- **Note on Lots 129 and 130 the use, ownership, and maintenance of the common areas.**
- **Revise lots 159, 175, and 182 to meet the minimum lot width for the single-family home lots.**
- **Underground utilities shall be required**
- **Sidewalks shall be required on at least one side of the street.**
- **The courses and distances from the section corner is not shown.**

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.

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 from Village Drive.

Mr. Parker reported for the Opelika Power Services, this is in the Opelika Power and Tallapoosa River Electric service territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

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

B. PLAT (Preliminary and Final) - Public Hearing

2. Armetta Johnson Estate SD, 2 lots, 709 Martin Luther King Blvd, Blake Rice, Barrett-Simpson, authorized representative for The Estate of Armetta Johnson, Preliminary and Final Approval

Mr. Mosley reported the applicant is requesting preliminary and final plat approval for a 2-lot

subdivision. This subdivision is at 709 and 713 Martin Luther King Blvd. The purpose of the subdivision is an estate required the division into two lots. The two homes and sheds are existing with a shared driveway.

This property is zoned R-3. The lots sizes are A-1 7,265 sf and Lot A-2 is 7,470 sf. The property division does not meet the minimum lot size requirements of 10,000 sf. Also, the residential structures do not meet the current front setback requirement of 30 feet. Due to the placement of the existing structures and the needs of the estate this is the most practical division of these two residential homes. The property is required to be divided by court order through the probating of the will.

Planning staff recommends preliminary and final approval subject to:

1. **The title states that this is an administrative plat. That should be changed as it is now on the Planning Commission agenda.**
2. **Add a vicinity map.**
3. **The adjoiners directly across Martin Luther King Blvd. should be included.**
4. **Add a shared driveway easement note.**

Mr. Parker reported for Engineering, the Engineering Departments review comments have been addressed and the Department recommends preliminary and final plat approval for this application.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from ML King.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

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

C. MASTER PLAN REVISIONS (Minor) AND PRELIMINARY AND FINAL PLAT - Public Hearing

3. Blake Rice, Barrett-Simpson, authorized representative for 280 Land Company, LLC, Minor Amendments to the Hidden Lakes PUD Master Plan, Lakeview Drive, removal of 12 townhome units and add 7 lots for Rear Alley Entrance Cottages

Mr. Mosley reported the applicant is requesting to change 12 townhouse units into 7 single family detached residential units. The proposed residential units would be larger than the townhomes, but smaller than the approved single-family lot type in the development. The

subject area is slightly less than one acre (0.92 acres). The 12 townhouse lots were created in 2020 as part of an 17-unit block of townhomes. One building was constructed but has not been as successful as the detached homes. The developer has proposed replacing these units with detached cottages.

The development was originally intended to have the single-family homes use the following setbacks:

Front: 20 feet

Sides: 7 feet

Rear: 25 feet (15 feet for this section)

The new lots would be narrower in width and have a 15 foot rear setback of the rear alley that would be more consistent with the nearby townhomes. This proposed change would only be applicable to the lots previously shown as T-13 thru T-2. Staff does not see this as a substantial change to the development. This would only affect a small number of lots in the development and is consistent with the approach the zoning ordinance takes for non-PUD zoned lots. Staff did feel this change warranted review by the Planning Commission as the setback and lot width, while larger than the units currently proposed would be smaller than the remainder of the single family detached homes.

The proposed change would have a very negligible decrease in the overall density of the development.

Staff recommends approval of this minor amendment to the approved plan.

Mr. Parker reported for Engineering, the Engineering Department has no concerns with this amendment to the PUD Masterplan recommends approval.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Lakeview Drive.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

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

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Arturo Menefee

DISCUSSION: Mr. Silberman asked does the definition of cottage have anything to do with common laws?

Mr. Mosley stated no sir. Cottage is basically just what they're calling it. We don't really have anything that is a cottage standard. Basically, what this means is, the houses are slightly smaller than the rest of the single-family houses there. These will all be detached though, so there are no shared walls if the amendment is approved.

AYES:	Cannon, Chairman Cherry, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

4. Hidden Lakes Cottages SD, 7 lots, accessed from Lakeview Drive, Blake Rice, Barrett-Simpson, authorized representative for 280 Land Company, LLC, Preliminary and Final Approval

Mr. Mosley reported the applicant is requesting preliminary and final plat approval for a redivision of Lots T2- T13 into 7 (seven) lots in Hidden Lakes Subdivision. The primary access the lots is from a rear alley off of Lakeview Drive. The existing 12 lots would be combined into 7 lots for single-family detached cottages. Sidewalks are required on at least one side of all streets; underground utilities are installed.

Lots T-2 through T-8 will be single-family home lots ranging from 5,442 sq. ft. to 5,913 sq. ft. These lots are 40 feet in width along the front property line. This area was previously designated for townhomes in the Hidden Lakes PUD Master Plan and on the previous recorded plat of Hidden Lakes Phase 1. The change in use from townhouses to single-family homes reduces the number of units from 12 down to 7 units. This has a very negligible decrease to the overall density.

Staff recommends final approval subject to the following:

1. Sidewalks are required on at least one side of all single-family home streets.
2. Old lot lines should be shown.

Mr. Parker reported for Engineering, there is no public infrastructure involved in in this subdivision so no infrastructure plans will be required. The applicant has also established an erosion and sediment control permit for this area so no other submittal will be required for this regulation. Coordination with each utility will be needed to establish the necessary connections to the existing infrastructure.

The Engineering Department has no other comments or concerns with this proposed plat and recommends preliminary and final plat approval.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Lakeview Drive.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Councilman Ward 1 Willie Allen
SECONDER:	Mayor Gary Fuller

AYES:	Cannon, Chairman Cherry, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

D. FINAL PLAT

5. Opelika Marketplace SD, Redivision of Lot 5-A-3-B-2 Second Redivision of Lot 5, 4 lots, accessed from Parker Way, Vic Patel and Arthur R. Nettles, authorized representative for VAH Investments, LLC, Final Approval

Mr. Mosley reported the applicant is requesting final approval for a 4-lot subdivision located off Parker Way. The Planning Commission gave preliminary approval at the December 21, 2021, meeting. The Commission approved a conditional use request for a miniature golf course and restaurant on Lot 5-A-3-B-2-B on October 26, 2021. Also, on December 21, 2021, the Planning Commission approved a conditional use request for an Indoor Baseball and Softball training facility on Lot 5-A-3-B-2-C.

The purpose of the subdivision is to create four lots for future developments. The lots range in size from 1.44 acres to 3.43 acres. Lot 5-A-3-A serves as a storm water detention area for these four new lots and the other two lots (existing lots shown on the plat). These lots meet the minimum 100-foot lot width and 20,000 square foot lot size requirements for a subdivision in the C-3, GC-P overlay district.

A portion of this property adjoins an active mobile home park to the north and northeast corner. However, that property is zoned C-2. Staff recommends a residential zone buffer provided in Section X Landscape Regulations along the entire length of the abutting mobile home park. (This buffer is shown on the previously approved conditional use for the minigolf and restaurant plan of Lot 5-A-3-B-2-B with 29 Green Giant Arborviate plants and a 6' wooded privacy fence.)

Planning Department recommends preliminary plat approval subject to:

1. **Add the residential landscape buffer to the plat along the portions of the lots that adjoin the mobile home park to meet the residential zone buffer requirements provided in Section X Landscape Regulations.**
2. **Remove the setback line shown on the lots, once divided the setbacks for each lot will be applied individually.**
3. **Add the adjoiner info on Lot 5-A-3-B-1**

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 pavement have been placed.
- All stop and roadway signs have been installed.

- 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.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Parker Way.

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

Motion to grant final plat approval with staff recommendations

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

E. MASTER PLAN REVISIONS (Minor) - Public Hearing

6. Ballfields PUD Master Plan, Minor Amendment to Master Plan, North 30th Street and Pepperell Parkway, Blake Rice, Barrett-Simpson, Removal of 168 apartment units and add 32 townhome units.

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. Earlier this year, the applicant requested to replace some of the multi-family units with townhomes. The applicant is now requesting to move the townhomes from one location on the site to a different location.

The approved plan had a density 6.49 units per acre over the 56.71-acre portion of the property. The revised plan with 232 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 last approved plan further moved the apartment buildings away from the adjacent residential. The proposed plan also adds 32 townhouses in seven (7) buildings. 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 previously approved plan increased the distance between the adjacent neighborhood and the taller apartment buildings. This proposal moves those apartments back to a location closer than the last approval, but still further away than the original approval. The apartments closest to the neighborhood are still limited to two stories in height. This plan also adds back in the storage buildings between the adjacent neighborhood and the apartment buildings.

While the last approved plan provides a better transition, the current plan is still within the spirit of the original approval.

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 PUD amendment 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 concerns with this amendment to the PUD Masterplan recommends approval.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from 30th Street and Pepperell Parkway.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

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

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

Mr. Silberman asked Mr. Parker is there any consideration to working with Pepperell Parkway?

Mr. Parker stated yes that was already considered in the original submittal and these minor changes did not affect that, but we were working with them on Pepperell Parkway access and also realignment of 30th Street access. None of that has changed from the original packet that we have been working with.

F. CONDITIONAL USE - Public Hearing

7. Blake Rice, Barrett-Simpson, authorized representative for Martin Burdette, accessed at 4800 Birmingham Highway (NW corner of Birmingham Hwy & Grand National Parkway), C-3, GC-P, ATV (All Terrain Vehicle) sales lot and maintenance shop

Mr. Mosley reported the applicant is requesting conditional use approval for an ATV sales lot and maintenance shop called Extreme Power Sports at the corner of Highway 280 and Grand National Parkway.

In 1998, the business owner started his first ATV business in Columbus, Ga. The business

added a motorcycle sales lot in Columbus. About a year ago, the business bought the existing ATV sales lot at the corner of Fredrick Road and Frederick Avenue. If the conditional use is approved the Frederick Road location will close and the Highway 280 location constructed. When the business opens 20 employees will manage business activities, a total of 30 employees is expected later.

The site plan shows a 37,600 square foot (sf) showroom building and a 12,000-sf future warehouse building on 4.3 acres. The showroom building will include a maintenance shop. Grand National Parkway is the only access to the property from two driveways about 200 feet apart; there are no driveways to the property from Highway 280. The 99 parking spaces provided includes 4 handicap parking spaces as required.

The landscape plan meets the minimum base and parking lot point requirements - 468 points required and 477 points provided. The parking lot has seven landscape islands or peninsula with at least one tree planted in each island or peninsula as required. Shrubs are required to capacity in each island/peninsula. This corner lot is a growing commercial intersection with traffic light. The landscape plan shows trees along the front property line in most areas along Highway 280 and Grand National Parkway. Staff recommends trees planted along the entire front property line of both streets to enhance the lot and intersection. The buffer of trees and shrubs should extend to the side property lines of each street. The tree type selected (understory, medium, or large tree) should follow the spacing distance options provided in 10.6 D.2. b.1 of the Landscape Regulations. The adjacent property on the east side across Grand National Parkway is undeveloped and zoned residential (R-3). The trees along Grand National will serve as a residential buffer.

The property meets the maximum 70% impervious surface ratio allowed: 58% or 2.61 acres is impervious; 42% or 1.92 acres is pervious

The front elevation and entrance to the ATV business faces Grand National Parkway. About 50% of the exterior wall facing Grand National consists of painted CMU veneer (split face concrete block), store front windows, and stone (10 feet high from ground level). The CMU must be architectural style block (textured/rough finish) and not the traditional smooth surface block. The top 12-foot section is primarily insulated metal wall panels; this basic panel has been approved only in a few developments on those streets serving traffic within a limited area. EIFs material and store front windows is used near the corner of the building. The exterior wall facing Highway 280 consist of the same exterior material. See elevations in packet. The elevation facing Highway 280 should appear more as a front entrance than a rear wall. Staff recommends adding an entrance door, windows, and/or porch to enhance the elevation facing Highway 280.

A dumpster area is not shown on site plan. A dumpster will be installed. The dumpster must be enclosed with double gate. The enclosure must be an opaque fence on all sides and an opaque double gate. The dumpster should not be located between the building and near either street.

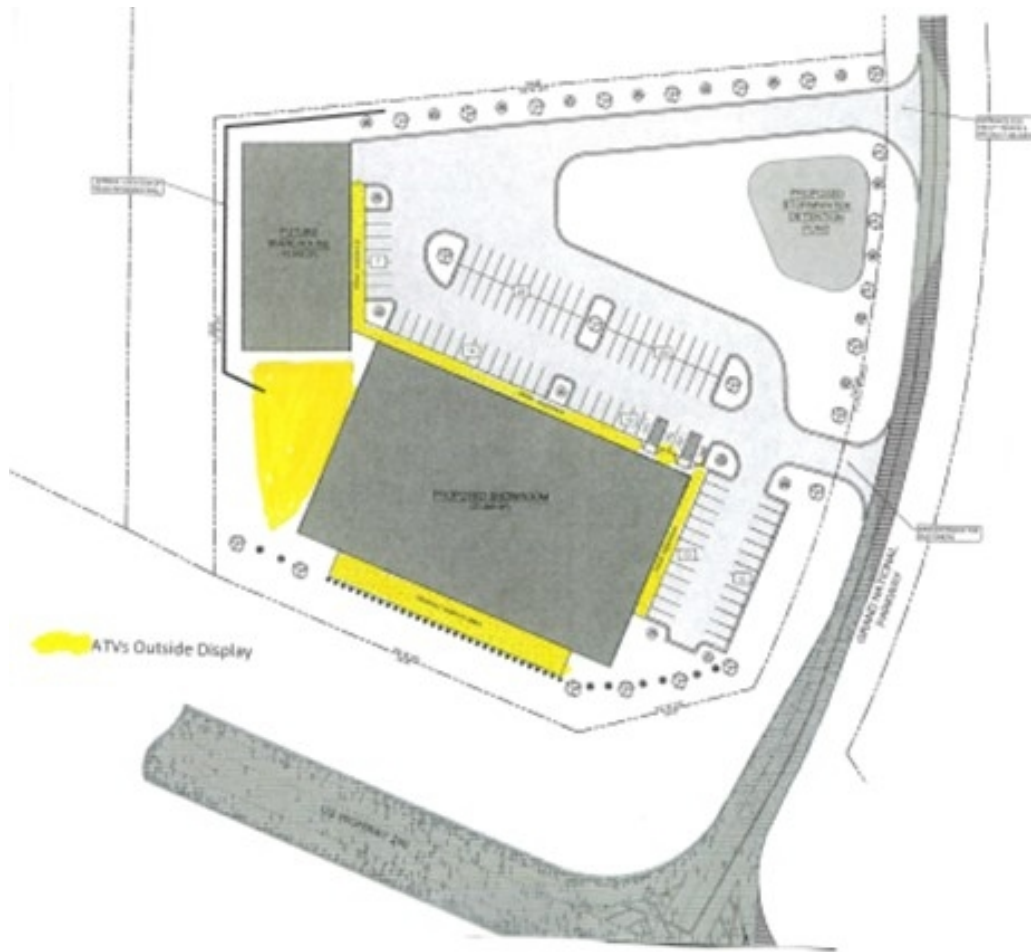
Outside display of ATVs are proposed (See "ATV Outside Display" areas next page). A 10-foot-wide sidewalk adjacent to two sides of the showroom building and in front of a future warehouse will be used as daytime outside display. At the end of business day, the ATVs on the sidewalks will be stored indoors. For day & night display (24 hour display/storage outside), the vehicles are on a 20' x 185' hard surface "product display area" adjacent to the south side of the showroom building that faces Highway 280. On the west side of the showroom building a 4,200 square foot gravel-type area is used for day & night time display; this area secured with a fence.

Staff recommends the 4,200 sf area be hard surface - concrete or asphalt. Outside lighting will be provided for the parking lot area, but there are no plans for lighting ATV outdoor display areas.

Recommendation

Staff recommends approval subject to the following:

- 1. Add trees along the front property line of Highway 280 and Grand National Parkway to both side property lines. Tree spacing based on tree type as provided in Landscape Regulations.**
- 2. The CMU block and insulated metal panels proposed for the exterior material must be an architectural style decorative material.**
- 3. ATVs outdoor display is limited to the areas shown on drawing attached. No parts or tires shall be displayed or stored outside.**
- 4. The outside display of ATVs on 10 foot wide sidewalks must be ADA compliant concerning minimum clearance of an aisle width especially for wheelchair passage.**
- 5. Enclose dumpster on all sides with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.**
- 6. A wall sign is shown on the elevation drawing. A sign application must be completed, and a sign permit obtained prior to the installation of any signage (permanent or temporary signage).**
- 7. If outside lighting is proposed for ATVs, brightness must not exceed 1 footcandle at the property line.**
- 8. Fence material to secure ATVs must be a commercial architectural style (ex. Ornamental decorative fencing or rod-iron appearance). Wire mesh or chain link type fencing is prohibited.**
- 9. The 4,200 sf display area must be hard surface – concrete or asphalt - not gravel or yard area.**



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

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 determined that the projected traffic in and out of this facility will not exceed the standards required for a traffic study or turn lanes. The spacing of the two proposed accessed exceeds the 200-ft that is required in the public works manual for this roadway.

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Grand

National Parkway.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations. Mayor Fuller seconded the motion.

Ms. Cannon asked is the applicant agreeing to have windows on the side that faces Highway 280?

Blake Rice, Barrett-Simpson, stated yes ma'am. I have spoken with the developer and they've reviewed all the comments and have no issues with any. They anticipate complying with them all and working with staff on the architectural as it goes through.

Ms. Cannon asked even the first road, I didn't understand exactly what was being said about the first turn in off of Highway 280, but it just seems like it's close to Highway 280. Just have one entrance and the same entrance out.

Mr. Mosley stated I believe the City Engineer said they're ok with both entrances.

Mr. Parker stated that's correct. The Alabama Department of Transportation will monitor the first entrance. If it is too close to 280, they'll provide regulation on that. We'll submit this plan to them for review and they'll incur, but this is quite a way away from the interchange, so it does meet our standards.

Blake Rice asked were you asking to move this to one entrance?

Ms. Cannon stated I would just think it's safer. It may meet compliance but still.

Blake Rice stated this is not a passenger vehicle concern. These are car-sized vehicles that they're selling out there, so the trucks that deliver these are full size transfer trucks. Having them get up that hill and get turned around and get back out was problematic. So, it's a much better idea to have them loop through the site, as well as the scale of this property. What we're used to seeing as far as distance on conditional uses like this, the scale is a bit confusing. That's a 40,000 square foot building so those entrances are significantly far apart.

Mayor Fuller asked they keep mentioning ATVs, will they also sell motor bikes and motorcycles?

Blake Rice stated yes, sir. So, what has happened if anybody isn't aware, East Alabama Power Sports which is located right over there on Frederick Road, has been sold to Extreme Power Sports out of Columbus. Extreme Power Sports is relocating from that location over there on Frederick Road, so all those product lines that when you drive by and see them all out there on Frederick road, that's what will be offered here. It's the motorcycles, the ATVs, the side by sides.

Ms. Cannon asked where is Extreme Motor Sports on Frederick Road?

Blake Rice stated no, East Alabama Power Sports is on Frederick Road. If you're coming from Auburn past the cemetery on the left, as soon as you pass the cemetery, East Alabama Power Sports is right there on the right. They're the ones that bring out all the four wheelers and side by sides every morning.

Mr. Hilyer asked that used to be a Honda shop didn't it?

Blake Rice stated it's Honda, Polaris, and Suzuki.

Mr. Silberman stated this is a significant site for the aesthetics of the City. Is there any reason that the Commission would want to see these revisions on paper?

Mr. Mosley stated that is up to the Commission. If you'd like to see those revisions, you would have to request that this be tabled until they could bring those back.

Mr. Silberman stated I think they're significant.

Ms. Cannon stated I agree with you. I think there are too many things that Planning is recommending and that it is a significant site. We want them to have as much visibility as they can have. We just want it to look pretty and not see the back of a building.

Blake Rice stated I would venture to say, if you take a look at those comments, everything else is fairly mundane. It's strictly the architectural aspects of the building itself, so that's really the only thing that would change. The rest of it is, yes, the show areas will be solid surface and the sidewalks are wide enough to meet ADA standards if an ATV is parked on them as well. So other than that, it's strictly the architectural elements of the building.

Ms. Cannon stated we've got one chance to get this right. One. You said there's going to be glass there. I mean, I just want it to be seen and people to know when they ride by, "Oh, I need to stop there," as opposed to seeing the back of a building.

Blake Rice stated yes ma'am.

Mr. Mosley stated you have a motion currently up for consideration now. So, if you would like to see those changes, someone would need to table this.

Motion to table the item until the July 26, 2022 Planning Commission meeting

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Lucinda Cannon

DISCUSSION: Mr. Silberman asked Mr. Mosley do you think we should table it?

Mr. Mosley stated it is up to the Board's pleasure basically. In a conditional use application, you're not required to meet a deadline. You need to feel that you have enough information to make a decision. So, you could either not table it and approve it as is, and we would try to make sure that those comments are met. Or, you can table it and have them bring back those specific changes to the Commission to review. One way or the other, it does not matter to the staff. If you feel like you'd like to see something specific or see exactly what they're proposing, then you should probably ask that that

come back to you.

Mr. Silberman stated I'm just one member of the Board. I'm not going to make that motion, but I have a reservation.

Mr. Mosley stated sure, and the motion is already there.

Mr. Gunter, City Attorney, stated there's a motion and a second. There's no debate on the motion, you just vote.

Chairman Cherry asked how many motions do we have?

Mr. Mosley stated so right now, the motion to table has superseded the motion to approve.

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

NAYS: None

ABSTAIN: None

8. Blake Rice, Barrett-Simpson, authorized representative for McOne Development, LLC, 807 Torbert Blvd, C-3, GC-S, Five townhome units

Mr. Mosley reported the applicant is requesting conditional use approval for a 5-unit townhouse development a 24,047 square foot lot. The property includes two pieces separated by the former right-of-way of Torbert Boulevard that was closed when the street was realigned. The property has a very unique shape that was created by the acquisition of the right-of-way for the street. The adjacent properties include single family homes and commercial property.

The townhomes are approximately 1,500 square feet. They are two story units with 2 bedrooms. Each unit will also have a brick courtyard behind the unit. The Townhouse Development Standards require that the front or rear yard area be no less than 50% of the main floor of the townhouse. Each unit meets this requirement.

In the C-2 and C-3 zoning districts, a maximum of 16 dwelling units per acre are allow; the proposed density (*5 units on 20,545 sf lot*) is 7.5 dwellings per acre. Minimum lot width requirement for a townhome = 20 feet. Minimum lot width proposed = 25'. The building also meets the minimum side and rear setback requirements (20', 10') for the C-2 zoning district. The townhomes received a variance from the ZBA based on the configuration of the lot to shift the units closer to Columbus Parkway. The minimum off-street parking requirement is met with eleven (11) parking spaces along Torbert Blvd (*2 ps per dwelling unit*).

The landscape plan meets minimum requirements concerning base and parking lot points. A total of 11 trees and 60 shrubs will be planted; the size of trees and shrubs planted must meet the minimum size requirements as provided in the Landscape Regulation. There are six oak trees located within the right-of-way of Columbus Parkway. The landscape plan shows three of these trees being removed during or due to construction. Preservation of these trees should be attempted if possible. If not, new trees, approved by the Planning Department, should be planted in the right-of-way to replace them.

This development would not likely have a dumpster but use individual bins.

Recommendation

Staff recommends approve subject to the following:

1. Buildings must meet the gateway corridor requirements. The building will require approval from the Historic Preservation Commission.
2. All utilities shall be underground.
3. On-street parking shall be coordinated with the Engineering Department.
4. Note the use of the property located on S 8th Street.
5. The oak trees in the right-of-way should be preserved if possible. If not, new trees approved by the Planning Department shall be replanted.

Mr. Parker reported for Engineering, because of the limited size of the site, the developer will be required to obtain a Land Disturbance Permit from the Building Inspections Department and no submittal will be required for this regulation.

Coordination with each utility will be needed to establish the necessary connections to the existing infrastructure.

The developer will be required to install the approved, on-street parking illustrated on Torbert Blvd.

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Torbert Boulevard.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Councilman Ward 1 Willie Allen
DISCUSSION:	Ms. Cannon asked where does the UPS man deliver the packages, in the front or the back? Blake Rice, Barrett-Simpson, stated in the back. Ms. Cannon asked is it going to say that? So, the fact that it has a front door doesn't really matter? Blake Rice stated yes, ma'am. It's accessed from the rear. It has frontage onto Torbert. For any deliveries or anything like that, nobody's going to be stopping on Columbus Parkway to deliver here.

Ms. Cannon stated well, that's what I think, but they usually take it to the front door.

Blake Rice stated it's a function of where you place mailboxes and things like that.

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

NAYS: None

ABSTAIN: None

9. David Slocum, Pinnacle Design Group, INC, authorized representative for J & G Properties, LLC, accessed at the 3500 block of Birmingham Hwy (Hwy 280), C-2, GC-P, Increase the size of a proposed climate control miniwarehouse

Mr. Mosley reported the applicant was granted conditional use approval at the March 22, 2022 Planning Commission (PC) meeting for a 410 unit, two-story climate controlled mini-warehouse business. (The original conditional use approval was granted at the March 2019 PC meeting; the 2019 approval expired and the request was resubmitted and approved at the March 2022 PC meeting.) At the June 28th PC meeting, the applicant is revising the site plan increasing the number of mini-warehouse units and adding parking spaces. The increase changes the site plan and Planning Commission approval is required.

A comparison of the March 2019 site plan to the June 2022 plan provides the following: (See 2019 and 2022 site plans page 3). The March 2019 site plan shows four buildings consisting of 410 climate control mini-warehouse units with a total 70,140 square feet (sf) of mini-warehouse space. The revised June 2022 plan has two climate control buildings that contain 530 units that total 80,270 sf of mini-warehouse space. The size of mini-warehouse storage units is 5x10, 10x10, and 10x15. The changes from the 2019 site plan to the 2022 plan is an additional 120 warehouse units and 10,130 square feet of storage space. Most of the 10,130 sf increase in warehouse space comes from combining the four buildings into two buildings. Also, the two buildings removes the need for a north to south driveway in the middle of the property and removes the central-square area labeled as a loading/unloading area. The driveway and loading/unloading area were replaced with more warehouse space.

The revised June 2022 site plan meets minimum off-street parking spaces. The site plan provides 53 parking spaces for the 530 units (1 ps per 10 units). The warehouse units are access from one 26-foot-wide two-lane driveway that runs between the two buildings; a T-intersection is provided at the south end of the building so vehicles can turn around exit the property.

The revised landscape plan meets minimum base and parking lot requirements. The 15' buffer along Hwy 280 and a residential buffer along the north, south and west property lines are shown as required. The residential buffer option selected as allowed in the Landscape Regulations is a staggered row of evergreens at least 8 feet wide. Ski Lodge Apartments are located on the adjacent property north of this development; the adjacent north property is zoned I-1 (Institutional); the west adjacent property is zoned residential. The buffer planted must provide a nearly impervious visual barrier in three growing seasons.

The front elevation of the mini warehouse building is shown below. 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 north, south, and west 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.



[illegible][illegible]

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Birmingham Highway.

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

territory.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Councilman Ward 1 Willie Allen

DISCUSSION: Mr. Hilyer asked on the front of this building, how tall does that brick go? It looks like it's only a couple of feet high.

Mr. Mosley stated yes sir, I believe it's intended to be somewhat of a wainscot type treatment.

Ms. Cannon asked where do you see what the front of the building looks like?

Mr. Mosley stated it's not on the overhead but it's in your packet.

David Slocum asked are you talking about the right side where the tower is?

Mr. Hilyer stated I'm talking about the front that fronts the highway.

David Slocum stated yes that's just three or four feet, and then you'll have a brick ledge there.

Mr. Hilyer asked and what's above it?

David Slocum stated it's a stucco type material.

Mr. Mosley stated I believe it's an EIFS type material above that.

Mr. Hilyer asked and that's going to meet the gateway corridor requirements?

Mr. Mosley stated the Commission has allowed that as being a simulated stucco finish.

Mr. Hilyer stated there's a lot of it. Am I right that this is north of Veterans Parkway?

Mr. Parker stated this is south of Ski Lodge.

Mr. Mosley pointed out Ski lodge on the map and stated this would be to the east, south of Veterans Parkway. Just a little bit down from here is the Springs at Mill Lake.

Ms. Cannon asked is it going to be a mustard color?

David Slocum stated no ma'am. That color is not representative. We haven't

finalized the color, but we would be glad to submit to y'all color palettes prior to construction if you would like.

Ms. Cannon asked it's not going to be a neon color, is it? It's a right in right out, correct?

David Slocum stated that's correct.

Mr. Mosley stated that's one of the reasons why we felt this use is somewhat appropriate here is because it's fairly low traffic and this site, unless it's combined with anything else, is going to be limited to right in right out.

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

NAYS: None

ABSTAIN: Chairman Lewis Cherry

10. David Slocum, Pinnacle Design Group, INC, authorized representative for Hayley Investments, LLC, accessed at 1110-1190 Fitzpatrick Avenue, C-2, GC-S, 18 cottages (condominium units)

Mr. Mosley reported *this agenda item was granted conditional use approval at the May 2019 Planning Commission (PC) meeting and then a one-year extension of the conditional use approval was granted at the April 2020 PC meeting to the May 25, 2021 Planning Commission meeting. The one-year extension has passed and the conditional use approval has expired. The applicant is now resubmitting for conditional use approval. Planning staff's report below is nearly the same as presented at the May 2019 PC meeting except for necessary edits because the site plan was revised from 19 condo units to 18 units.*

The applicant is requesting conditional use approval for 18 cottages (single family home condominiums) in a C-2 zoning district; 19 cottages were proposed on the original site plan. The "storm water detention pond" shown at the northwest corner of site plan replaced a cottage. The proposed development is located on 1.99 acres with frontage on Fitzpatrick Avenue and Elliot Avenue. The applicant proposes to only use the access on Fitzpatrick Avenue. The density of the proposed development is 9 units per acre. The allowable density in C-2 is 16 units per acre. The density of residential in this area ranges from 2.5 units per acre for the residential to the west, 5.7 units per acre for the duplex to the east, and 18.5 units per acre for the townhomes to the north. The proposed development provides a transition between the various areas and the commercial uses fronting on Fitzpatrick Avenue.

Examples of the cottage-style single-family homes are attached. The units' range in size from one bedroom to three-bedroom units. All units will exceed 800 square feet with most being over 1,000 square feet. The units are approximately 15 feet from each other. They meet the minimum setbacks from the adjacent property lines. An area on the northeast side between a cottage and dumpster is labeled "proposed park or pool". The applicant is not certain about the use of this area, but most likely will be designated as a park area for condo owners.

Two parking spaces are required for each unit; 36 parking spaces required. (2 x 18 units = 36 ps). The applicant has provided 56 spaces that includes 3 handicap accessible spaces. (Three handicap parking spaces is required for 56 parking spaces.)

A landscape plan was submitted but will need to be revised. The site is 1.99 acres which requires 194 base landscaping points. The parking lot requires 57 parking lot points. This totals 251 total points. The parking lot points will need to be moved closer to the parking lot than

currently shown. The existing plan shows four crepe myrtle trees. Additional trees should be planted on the open island near the dumpster and at the south end of each row of parking. The site also requires a residential landscape buffer along the residentially zoned properties. The applicant appears to have selected Option A which is a four (4) foot landscape buffer with a six (6) foot tall opaque fence and a single row of evergreen shrubs. The landscaping requirements allow trees planted for residential or parking lot buffers to count towards the overall points, but do not allow the shrubs from either buffer to be applied towards the overall point requirement. This prevents most of the Cleyera from the residential bufferyard from being counted. This would necessitate an additional 117 points.

The applicant has not listed the exterior building materials for the development. Staff recommends that the materials meet the gateway corridor overlay requirements to include wood, stone, stucco, brick, hardi-board, or other approved material. The site plan shows a “dumpster enclosure.” Staff recommends dumpster screened by an opaque fence or evergreen plantings.

Recommendation

Staff recommends conditional use approval subject to the following conditions:

1. Cladding material shall use the approved materials in the gateway corridor.
2. Screen the dumpster using an opaque fence and/or solid hedge of evergreen shrubs.
3. Revise the landscape plan to meet the requirements of the Zoning Ordinance including islands in parking lot with at least one tree and shrubs.
4. Each unit must exceed 800 square feet in heated/cooled space.
5. Install underground utilities.

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 determined that the projected traffic in and out of this facility will not exceed the standards required for a traffic study or turn lanes.

The current Bicycle and Pedestrian Master Plan has indicated that this section of roadway requires an 8-10 ft paved multipurpose path. This path will be required to be installed across the entire lot with the development.

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

Mr. Parker reported for the Opelika Utilities Board, Water service is accessible from Fitzpatrick Avenue.

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

Chairman Cherry opened the public hearing.

Steve Penland, 1019 Fitzpatrick Avenue, stated I live across the street from this development

and my questions are on the access. The plat is hard to see, where is the access to it? Is it going to be on Elliott Avenue or is it going to be onto Fitzpatrick Avenue?

Mr. Parker stated it's going to be on Fitzpatrick Avenue.

Steve Penland asked ok, where on Fitzpatrick is it going to be in the development?

Mr. Mosley stated it looks to be about centered on the development.

Steve Penland stated ok there's another street there. Simmons Street comes out right there between the barbershop and El Taco Veloz so the access will not line up with Simmons Street?

Mr. Mosley stated no sir.

Steve Penland stated but I'm concerned about the traffic there, especially right now the traffic's not bad because the schools are out, but when schools get back in, that's a route that the school buses take to Northside and to the middle school, and then they come back every morning and turn right there at Simmons Street to go down to where they park all the buses. My concern is the increased traffic. Has there been a traffic study as to how much this is going to increase it there?

Mr. Parker stated because of the limited number of lots that have been proposed, we do not think that it will increase traffic enough to perform a traffic study or turn lanes for this area.

Steve Penland stated my concern is just the increased traffic. Thank you.

Ms. Cannon asked when you were talking about a bicycle lane, is there going to be a bicycle lane on that?

Mr. Parker stated it is proposed in the bicycle pedestrian master plan that was approved recently, a multipurpose path will be required on this side of the roadway for that section.

Ms. Cannon asked on Fitzpatrick, there?

Mr. Parker stated yes.

Ms. Cannon stated I mean hardly two cars can fit.

Mr. Parker stated no, it'll be off the side of the road.

Ms. Cannon asked bicycles will ride off the road?

Mr. Parker stated it will be detached, yes. The City of Opelika is currently working on a design to install this lane from Veterans Parkway all the way to Dunlap Drive and the idea is that we continue this all the way to town, all the way to 10th Street.

Mr. Silberman asked will it be curbed?

Mr. Parker stated it will be behind the curb, yes sir. Detached bike multipurpose lane. It was approved by City Council in 2020.

Ms. Cannon asked in 2020? Like two years ago?

Mr. Parker stated yes.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

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

11. Howard J. Porter, authorized representative for PFI, Ltd, accessed at 95 Orr Avenue, C-3, GC-P, Distribution warehouses

Mr. Mosley reported the applicant is requesting conditional use approval for three distribution warehouses. This development was approved at the November 2020 Planning Commission (PC) meeting as an office warehouse or office showroom & warehouse for 165,000 square feet (sf) and two distribution warehouses that total 180,000 sf. At the November 2020 meeting, the development plan was to construct office warehouse/showroom-type tenant spaces and customers could view products, place orders, and have products shipped. Also, ‘dark stores’ were proposed for tenant spaces. ‘Dark stores’ receives orders from customers and on the same day delivers those products to customers. Adjacent to the proposed office warehouse/showroom building was a 8.8-acre lot for a distribution warehouse.

Since the November 2020 conditional use approval, the market has changed and now distribution warehouse space is in demand. The applicant is requesting the three proposed buildings (485,000 sf) be distribution warehouse space except for 3,000 sf of office space. (The applicant’s existing tenants are requesting the office space in two of the warehouse buildings.) Most products in the three distribution warehouses are related to the automobile industry (Hyundai, Kia) warehousing auto products/parts or raw material until the manufacturer (or tier 1 supplier) requests a product shipped. The auto industry typically uses temporary warehouse space instead of constructing a warehouse. The applicant expects from 30 to 50 employees on two shifts at the three warehouse buildings.

The revised site plan shows the three distribution warehouses accessed from two locations on Orr Avenue. (No access proposed from Marvyn Parkway.) The adjacent properties to the south are single family homes in a R-3 zoning district (residential). The landscape plan shows a residential buffer as required along the south property line; the existing berm with trees and/or vegetation is along the south property line that will remain preserved serving as the buffer; the berm was installed years ago when manufacturing occupied the property.

The landscape plan shows Building 3 (140,000 sf) on the corner of Orr Avenue and Marvyn Parkway. The front entrance and truck docks face Orr Avenue. The landscape buffer between Building 3 and Marvyn Parkway is 30 trees: 13 red maple trees, 15 crape myrtle and 2 white oaks. The street trees visually buffers Building 3 from Marvyn Parkway. The 40 parking spaces near Building 3 and the Orr Avenue entrance is buffered on all sides with 22 tree and 44 shrubs. A total of 15 red maples and 74 shrubs are between Building 2 and Building 3. A buffer is shown between Building 1 and the north adjacent lot that faces Orr Avenue. The buffer consists

of 10 trees and 32 shrubs. Other landscaping is shown on or near the property lines. The landscape plan needs to show total base points and total parking lot points required and obtained.

The proposed use is considered a ‘truck terminal’. Semi-truck parking is provided at the warehouse loading docks for a short stay as products/material are delivered for storage or trucks loaded to ship to a manufacturer. Building 1 has 9 semi-truck parking spaces (ps) for trucks, and 40 parking spaces (ps) for employees or temporary staff that load or unload semi-trucks. Building 2 and 3 has 66 semi-truck parking/docking locations and 44 ps for employees.

Recommendation

This M-1 zoned property has been vacant since the former Ampex and Quantegy occupied the property. Quantegy closed in 2005 and most buildings on the 23 acre property have been removed. **Staff recommends approval subject to the following:**

1. All products/raw materials must be stored inside an enclosed building. No storage allowed outside a building.
2. Provide on landscape plan total base points and total parking lot points required based on the developed area and provide the total number of base & parking lot points as shown on the landscape plan.

Mr. Mosley stated I wanted to point out where we’re using a material that has been used previously on large buildings. It’s an insulated metal panel. I just want to make sure that the Commission is aware that that is being proposed.

Mr. Parker reported for Engineering, there is no public infrastructure involved in in this subdivision so no infrastructure plans will be required. The applicant has also established an erosion and sediment control permit for this area so no other submittal will be required for this regulation. Coordination with each utility will be needed to establish the necessary connections to the existing infrastructure.

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Orr Avenue.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Director Mike Hilyer
AYES:	Cannon, Chairman Cherry, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

12. Foresite Group, LLC, authorized representative for Bush Properties, Inc, accessed at 2015 Gateway Drive, C-2, GC-P, Gateway Car Wash

Mr. Mosley reported *this conditional use was approved at the December 2018 and March 2021 Planning Commission meetings. Over a year has elapsed since approval and a building permit has not been requested. Therefore, the conditional use approval has expired. The applicant is now reapplying for conditional use approval again for the Express Tunnel Car Wash. The plans presented today are the same as presented at the December 2018 and March 2021 PC meetings with minor changes of added rug areas and proposed exit gate. The staff report below that includes staff recommendations for approval is the same as presented at the December 2018 and March 2021 meetings. Planning staff has no additional comments or recommendations. The December 2018 and March 2021 Planning Commission Minutes are at the start of this report for review.*

March 2021 Planning Commission Minutes

1. Brett Basquin, 2015 Gateway Drive, C-2, GC-S, Express tunnel car wash

Mr. Mosley reported this conditional use was approved at the December 2018 Planning Commission meeting. Over a year has elapsed since approval and a building permit has not been requested. Therefore, the conditional use approval has expired. The applicant is now reapplying for conditional use approval again for the Express Tunnel Car Wash. The plans presented today are the same as presented at the December 2018 PC meeting. The staff report below that includes staff recommendations for approval is the same as presented at the December 2018 meeting. Planning staff has no additional comments or recommendations. The December 2018 Planning Commission Minutes are on page 2 for your review.

The applicant is requesting conditional use approval to construct an automatic car wash (automobile maintenance) in a C-2, GC-P zoning district. The site is in front of the large office building that houses the Alabama Medicaid office. The site would be accessed from Robert M Harper Drive.

The site plan shows a 6,000 square foot (sf) building on a 5.04-acre lot. The building is designed to meet the 40-foot gateway frontage setback on the north end of the property. However, the additional right-of-way at the south end reduces the setback to 30 feet. The applicant is asking for relief from the Planning Commission, so the building will appear to be straight. The parking area 32 parking spaces, although most of these will be used for vacuum areas or prep areas.

The development area is 1.67 acres. The landscape plan meets minimum requirements (166 total pts. required, 176 total points obtained, 33 parking lot points). A 15-foot front parking lot buffer is required along Gateway Drive. This will need to meet the planting requirements in 10.6 D. 2 b including a buffer with trees and shrubbery provided between the plantings. Staff also feels that adding some evergreen shrubs or fence to the buffer to the north will help provide a better transition between the automotive use and the doctors office adjacent. This should be placed between stacking for carwash and the property line.

The applicant has proposed an elevation that will make the carwash appear similar to a small strip building. The materials include stone, simulated stucco (efis), glass and faux wood panels.

A private dumpster is shown in the rear yard; staff recommends that the dumpster be enclosed with an opaque fence at a height, so the dumpster is not visible outside the enclosure.

If outdoor pole lighting or wall pack lighting are proposed, then lights must comply with the City's lighting requirements. In addition, it may be necessary to reduce light glare by installing light fixture shields and/or redirecting light direction if light is excessive on public streets.

Recommendation

While staff believes the use is appropriate at this location, there are some issues that need to be addressed prior to recommending approval. These include:

- 1. Dumpster must be screened from adjoining properties.*
- 2. All mechanical must be screened from the public right-of-way.*
- 3. Add accessible parking space to the site.*
- 4. Revise front buffer to meet the requirements for section 10.6 D 2 b.*
- 5. Add evergreen shrubs or opaque privacy fence to northern buffer between outside stacking lane and adjacent property to transition uses. Shrubs reach 6 feet within 2 growing seasons.*

Mr. Mosley reported for Engineering, the developer 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. Mosley reported for the Opelika Utilities Board, water service is accessible to this use by a water main in the R.O.W. of Gateway Drive.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Mr. Hilyer made a motion to grant conditional use approval with staff recommendations.

Ms. Cannon seconded the motion.

Mr. Silberman asked is the brick shown on the drawing artificial? Is that an artificial facing?

Mr. Mosley stated yes sir, you see this a lot on buildings where it might not be appropriate to show what is actually inside. Giving it a change in materials will make it feel like they are keeping the same spacing and give the feeling of a window or a storefront without actually letting you see inside.

Mr. Silberman asked does that meet the material requirements for the Gateway Corridor?

Mr. Mosley stated that would be an allowable material there.

Ayes: Silberman, Councilman Lofton, Hilyer, Lee, Cannon, Cherry, and Whatley.

Nays: None.

Abstention: None.

December 2018 Planning Commission Minutes

Foresite Group, Inc., 2015 Gateway Drive, C-2, GC-P pending rezoning, Gateway Car Wash

Mr. Mosley reported the applicant is requesting conditional use approval to construct an automatic car wash (automobile maintenance) in a C-2, GC-P zoning district. The site is in front of the large office building that houses the Alabama Medicaid office. The site would be accessed from Robert M. Harper Drive.

The site plan shows a 6,000 square foot (sf) building on a 5.04-acre lot. The building is designed to meet the 40-foot gateway frontage setback on the north end of the property. However, the additional right-of-way at the south end reduces the setback to 30 feet. The applicant is asking for relief from the Planning Commission, so the building will appear to be straight. The parking area 32 parking spaces, although most of these will be used for vacuum areas or prep areas.

The development area is 1.67 acres. The landscape plan meets minimum requirements (166 total pts. required, 176 total points obtained, 33 parking lot points). A 15-foot front parking lot buffer is required along Gateway Drive. This will need to meet the planting requirements in 10.6 D. 2 b including a buffer with trees and shrubbery provided between the plantings. Staff also feels that adding some evergreen shrubs or fence to the buffer to the north will help provide a better transition between the automotive use and the doctor's office adjacent. This should be placed between stacking for carwash and the property line.

The applicant has proposed an elevation that will make the carwash appear similar to a small strip building. The materials include stone, simulated stucco (efis), glass and faux wood panels.

A private dumpster is shown in the rear yard; staff recommends that the dumpster be enclosed with an opaque fence at a height, so the dumpster is not visible outside the enclosure. If outdoor pole lighting or wall pack lighting are proposed, then lights must comply with the City's lighting requirements. In addition, it may be necessary to reduce light glare by installing light fixture shields and/or redirecting light direction if light is excessive on public streets.

Recommendation:

While staff believes the use is appropriate at this location, there are some issues that need to be addressed prior to recommending approval. These include:

1. *Dumpster must be screened from adjoining properties.*
2. *All mechanical must be screened from the public right-of-way.*
3. *Add accessible parking space to the site.*
4. *Revise front buffer to meet the requirements for section 10.6 D 2 b.*
5. *Add evergreen shrubs or opaque privacy fence to northern buffer between outside stacking lane and adjacent property to transition uses. Shrubs reach 6 feet within 2 growing seasons.*

Mr. Parker reported the Engineering Department recommends conditional use of this application.

The Engineering Department requires a grading, drainage, utility, erosion control, and post construction detention plan be submitted to the Engineering and Public Works Departments for review and approval for a Land Disturbance Permit. All other utilities will need to be contacted by the applicant to make sure all designs are approved, and requirements met.

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Mayor Fuller made a motion to grant conditional use approval with staff recommendations. Dr. Menefee seconded the motion.

Ms. Cannon asked about the variance request for 10 feet.

Mr. Mosley stated the wavier in setback is due to the south side of the R.O.W. running at an angle and that this will allow the building to be parallel to the road. Access will be from Robert M. Harper Drive.

Ayes: Cherry, Fuller, McEachern, Council Member Canon, Silberman, Cannon, Vaughn, Menefee

Nays: None

Abstention: None

Proposal:

The applicant is requesting conditional use approval to construct an automatic car wash (automobile maintenance) in a C-2, GC-P zoning district. The site is in front of the large office building that houses the Alabama Medicaid office. The site would be accessed from Robert M Harper Drive.

The site plan shows a 6,000 square foot (sf) building on a 5.04-acre lot. The building is designed to meet the 40-foot gateway frontage setback on the north end of the property. However, the additional right-of-way at the south end reduces the setback to 30 feet. The applicant is asking for relief from the Planning Commission, so the building will appear to be straight. The parking area 32 parking spaces, although most of these will be used for vacuum areas or prep areas.

The development area is 1.67 acres. The landscape plan meets minimum requirements (166 total pts. required, 176 total points obtained, 33 parking lot points). A 15-foot front parking lot buffer is required along Gateway Drive. This will need to meet the planting requirements in 10.6 D. 2 b including a buffer with trees and shrubbery provided between the plantings. Staff also feels that adding some evergreen shrubs or fence to the buffer to the north will help provide a better transition between the automotive use and the doctor's office adjacent. This should be placed between stacking for carwash and the property line.

The applicant has proposed an elevation that will make the carwash appear similar to a small strip building. The materials include stone, simulated stucco (efis), glass and faux wood panels.

A private dumpster is shown in the rear yard; staff recommends that the dumpster be enclosed with an opaque fence at a height, so the dumpster is not visible outside the enclosure.

If outdoor pole lighting or wall pack lighting are proposed, then lights must comply with the City's lighting requirements. In addition, it may be necessary to reduce light glare by installing light fixture shields and/or redirecting light direction if light is excessive on public streets.

Recommendation

While staff believes the use is appropriate at this location, there are some issues that need to be addressed prior to recommending approval. These include:

- **Dumpster must be screened with approved fencing and landscaping from adjoining properties.**
- **All mechanicals must be screened from the public right-of-way.**
- **Add accessible parking space to the site.**
- **Revise front buffer to meet the requirements for section 10.6 D 2 b.**
- **Add evergreen shrubs or opaque privacy fence to northern buffer between outside stacking lane and adjacent property to transition uses. Shrubs reach 6 feet within 2 growing seasons.**

Mr. Parker reported for Engineering, the developer has previously submitted a site development plan that has been approved. This approval remains active.

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Gateway Drive.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee
SECONDER: Mayor Gary Fuller
DISCUSSION: Ms. Cannon stated I just want verification that where you drive your car in to vacuum it out is not going to be on Highway 280.

Mr. Mosley stated on the site plan, this is Highway 280. You've got the landscaping, then you've got the building, the tunnel, and then behind the tunnel you'll have the vacuum stations. So, they will probably be a little visible behind the building, but they're not going to be a primary feature when you're looking off 280.

Ms. Cannon stated another concern is the decibels of how loud it is to dry off the car. Is it going to affect businesses around? Will it affect that sound that far?

Clay Massey, Foresite Group, stated I'm the engineer on the project. I can't speak to what the decibels of that would be. I'm just guessing that the distance between those would be sufficient as well as the landscaping would buffer some of that sound.

Ms. Cannon stated ok. I just happened to have had my car washed the other day and it was pretty loud just sitting in the car.

Clay Massey stated right. You're still within the tunnel, which makes it louder for you sitting in the car, but kind of keeps it in that structure.

Ms. Cannon stated ok.

Mr. Mosley stated the nearest vacuum station looks like it's about 50 feet or so from the property line.

Ms. Cannon asked are you all going to come back in 2023?

Clay Massey stated no, ma'am. There's a Spire easement that ran through this site and so with the COVID delay it took about 18 months to get all that worked out. There was a lot of discussion about the canopies over the vacuum stations. So that was the reason for the delay, but that has been totally taken care of now and they might start construction later this fall.

Ms. Cannon stated ok.

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

NAYS: None

ABSTAIN: None

G. REZONING AND CONDITIONAL USE - Public Hearing

13. Rezoning Request, Brandon Hays, authorized representative for William P. Johnston, Jr., John B. Kirkland, and Edwin Whatley, 3.14 acres, 3373 Society Hill Road, from R-1 to C-2, GC-P

Mr. Mosley reported the 2030 Future Land Use Map (FLUM) shows the 3.1-acre rezoning

property at 3373 Society Hill Road in a “low density residential” land use category. This section of Society Hill Road is near the intersection of Gateway Drive and all properties are zoned R-1 (rural/ (agricultural). The GC-P overlay district is also along this section of Society Hill Road. The rezoning property is less than a mile from a regional commercial area at Exit 62 on I-85 that includes Tiger Town. For several years, it’s been expected that undeveloped properties near the Gateway Drive & Society Hill Road intersection will develop commercial or multi-family. The proposed R-1 to C-2, GC-P rezoning request requires an amendment to the 2030 FLUM concerning land use category. The proposed amendment to the Future Land Use map from a “low density residential” land use to “light commercial” is consistent with the nearby existing commercial uses. If the rezoning request is approved the 2030 FLUM should be amended so the 3.1 acre rezoning property is in the “light commercial” land use category.

Staff Recommendation

Staff recommends the Future Land Use map amended from a “low density residential” land use category to a “light commercial” land use category if the rezoning is approved.

Rezoning

The applicant is requesting to rezone 3.1 acres from R-1 to C-2, GC-P. The applicant desires an “office for contractor without equipment and material yard”. The C-2 zone is defined as an “office-retail” land use and typically all business activities are inside a building in the C-2 zone; a contractor’s office without outside equipment and storage yard is compatible with the C-2 zoning district. An “office for contractor with equipment and material yard” is prohibited in the C-2, GC-P. Other land uses in the C-2, GC-P that need outside storage are required to obtain conditional use approval from the Planning Commission.

The adjacent properties on the north and east sides of the rezoning property are out of the Opelika city limits; there is no zoning in this area of Lee County. The adjacent properties are primarily rural; the land uses are Wilhite Trailer Sales and undeveloped property. The adjacent properties on the south and west sides are zoned R-1 (rural, agricultural). The adjacent land uses are a single family home to the south and a 15-acre undeveloped lot across Society Hill Road.

Staff believes rezoning to C-2, GC-P will be compatible with the adjacent properties. Land uses zoned C-2, GC-P zone primarily take place inside a building. The applicant is requesting an office for contractor with no equipment or material yard.

Staff Recommendation

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

Mayor Fuller asked Mr. Mosley is this in the county?

Mr. Mosley stated no sir, this is just inside the City.

Mayor Fuller asked is Wilhite Trailer inside the City?

Mr. Mosley stated Wilhite Trailer is outside the City, but just below it is inside the City. The property just to the north is Wilhite Trailer. Everything in yellow is in the City, everything in white is outside.

Mr. Parker reported for Engineering, the Engineering Department has no comments or concerns

with the proposed rezoning request.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Society Hill Road.

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

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

No comments.

Chairman Cherry closed the public hearing.

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

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

14. Brandon Hays, authorized representative for William P. Johnston, Jr., John B. Kirkland, and Edwin Whatley, 3373 Society Hill Road, C-2, GC-P, Office of contractor without equipment and material yard (no outside storage) (Approval is pending on rezoning property to C-2, GC-P)

Mr. Mosley reported the applicant is requesting conditional use approval for a “office of contractor without equipment and material yard” that is in the Gateway Corridor Overlay district 1. Approval of the conditional use is subject to the City Council approving rezoning the applicant’s property from R-1 to C-2, GC-P (office-retail, gateway corridor overlay district – primary)

The business office is for a site construction company that has 20 employees; office space for 5 employees is at the Society Hill location. There are three full time employees in the office and office space is available for two employees part time. The other 15 employees drive from their home to the job site each morning.

The site plan shows an existing 2,500 square foot (sf) single family home. The applicant plans

to renovate the home into a contractor's office. Six parking spaces are shown for office personnel. One parking space must be handicap accessible parking. The site plan shows in the rear yard a proposed 8,000-sf building that will be constructed used as a maintenance & repair shop for the contractor's equipment and machines. A full-time employee is not assigned to the maintenance/repair shop; the shop is only occupied when equipment or machine need repair or maintenance. No building material is stored at the Society Hill location; orders for material are delivered to the job site.

Minimum landscape requirements are met by preserving existing trees on the property. The Landscape Regulations encourages the preservation of existing "significant trees" (6" diameter or larger) that count toward base point requirements instead of planting new tree. The landscape plan shows 22 significant trees with diameters ranging from 6" to 37" will be preserved. Forty existing shrubs near the office will also be preserved.

Recommendation

Staff recommends conditional use approval subject to City Council approving the rezoning request from R-1 to C-2, GC-P.

¹ see rezoning request agenda item #13

Mr. Parker reported for Engineering, because of the limited size of the site, the developer will be required to obtain a Land Disturbance Permit from the Building Inspections Department and no submittal will be required for this regulation.

Coordination with each utility will be needed to establish the necessary connections to the existing infrastructure.

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Society Hill Road.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval pending rezoning approval with staff recommendations

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

H. REZONING - Public Hearing

15. Rezoning Request, Blake Rice, Barrett-Simpson, authorized representative for Capps Family Partners, LTD, 2900 block of Society Hill Road, 40 acres, from C-2, R-1 to C-2

Mr. Mosley reported *this rezoning agenda item was removed from the City Council agenda before the 2nd reading and before Council's vote on the rezoning request. The applicant is required to resubmit the rezoning request to the Planning Commission. There are no revisions to the rezoning or original plans that were submitted at the February 22, 2022 Planning Commission meeting. The staff report below has not changed from the staff report submitted at the February 22, 2022 Planning Commission Meeting.*

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 comments or concerns with the proposed rezoning request.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible from Society Hill Road.

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

Mr. Silberman asked why was the application withdrawn?

Mr. Mosley stated the applicant could probably shed some light on it but I think there was some discussion between the buyer and seller and things might have stopped and then started again.

Chairman Cherry opened the public hearing.

Blake Rice, Barrett-Simpson, stated what you have is the exact same request. We didn't even change the Conditional Use. The Conditional Use is still valid pending City Council approval of the rezoning. We had some issues between a few differing property owners contractually and what had to happen to get the contracts figured out is we needed time and had to pull it off the City Council prior to the rezoning. We all believed that it could start back at City Council. In discussions with Mr. Gunter, we found out that that was not the case, so it's back before you for another recommendation to City Council.

Chairman Cherry closed the public hearing.

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

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

I. PLAT (Preliminary and Final) - Public Hearing

16. Celebrate Alabama Improvement District SD, 4 lots, accessed at Section 26, 27, 34, & 35, T20N, R27E, Exit 64 and 66 of Interstate 85, Harmon Engineering & Contracting Co. Inc., authorized representative for Opelika Investment Properties LLC, Preliminary and Final Approval

Mr. Mosley stated this item was withdrawn by the applicant.

V. OLD BUSINESS

J. CONDITIONAL USE - Public Hearing

17. Blake Rice, Barrett-Simpson, authorized representative for Brookhaven Property Group, LLC, accessed at 1500 Pinehurst Drive (700 block of West Point Parkway), R-4, Add 36 apartment units to Pinehurst Apartments (*tabled at the February 22, 2022 meeting at the applicant's request*)

Mr. Mosley stated we have not received any updates for this item, so we recommend that it remains tabled at this time. We are hoping to get some new information on this item next month.

VI. ADJOURN

Motion to adjourn at 4:23 p.m.

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Arturo Menefee
AYES:	Cannon, Chairman Cherry, Silberman, Director Hilyer, Menefee, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None

ABSTAIN: None

_____ Lewis A. Cherry, Chairman

_____ Matt Mosley, Secretary



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

2986

DEADLINE: 7/5/22 MEETING: 7/26/22

SITE ADDRESS: <u>Oak Bowery Road</u>	
PROPERTY OWNER: <u>Auston Shaw</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>	
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>Shaw Estates</u>	Number of Lots: <u>31</u> x \$3.00 = \$ <u>93.00</u>
Current Land Use: <u>Vacant</u>	Number of APO: <u>12</u> x \$7.00 = \$ <u>84.00</u> (Adjacent Property Owners)
Current Zoning: <u>R-1</u>	Fee: <u>\$75.00</u>
Proposed use of the Subdivision: <u>Single-family Residential</u>	TOTAL <u>=\$252.00</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>Shaw Estates</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>	6/29/22 DATE
(PRINT NAME) <u>Blake Rice, Barrett-Simpson, Inc.</u>	

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022

Subdivision: Shaw Estates

Agenda Item #: A-1

Action Requested: Preliminary Approval

Location of Property: Oak Bowery Road

Property Owner(s): Auston Shaw
Blake Rice, Barrett- Simpson, Inc., authorized applicant

Current Land Use: Vacant

Current Zoning: R-1

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0060G & 01081C0066G – in “Zone X” Zone X area is outside the 0.2% annual chance floodplains and in “Zone A” Zone A area is Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance of flood. No Base Flood Elevations determined.

Staff Comments:

The applicant is requesting preliminary approval for a 31-lot subdivision located in the R-1 zoning district. This property is also in the Saugahatchee Watershed. The Saugahatchee Watershed regulates the lot size minimum standards of three (3) acres for single-family residential when not on sewer. Lots 1-30 will take access from Oak Bowery Road by Street A and Street B. Lot 31 has a flag portion frontage along Oak Bowery Road. The lots range in size from 3.10 acres to 40.73 acres; lot width ranges from 95.38 feet to 328.77 feet. The application states these lot will be single-family homes. This subdivision is unique because the area on the 100' Alabama Power Company Easement, 75' Alabama Power Easement and, a 50' Alabama Power Company Easement intersecting several lots.

Planning staff recommends preliminary approval subject to the following:

1. Previous plat and aerial photography show two outbuildings or sheds within the flag of Lot 31. If still present, these should be depicted.
2. Ensure the minimum lot width of 100 foot is met at the building line for Lots 13, 14, 27 and 29

Engineering Department Report

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

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

The Engineering Department has determined that the projected traffic in and out of this development will not exceed the standards required for a traffic study or turn lanes. It is also recommended that the roadway design of street A would include traffic calming devices, such as bifurcated roadway sections or traffic circles to break up to long straight road that tends to have higher speeds.

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

Opelika Utilities Board Report

Water service is accessible by a water main in the R.O.W. of Oak Bowery Road. This subdivision is within the Saugahatchee Lake Watershed and meets the 3 acre minimum size for lots without sanitary sewer service.

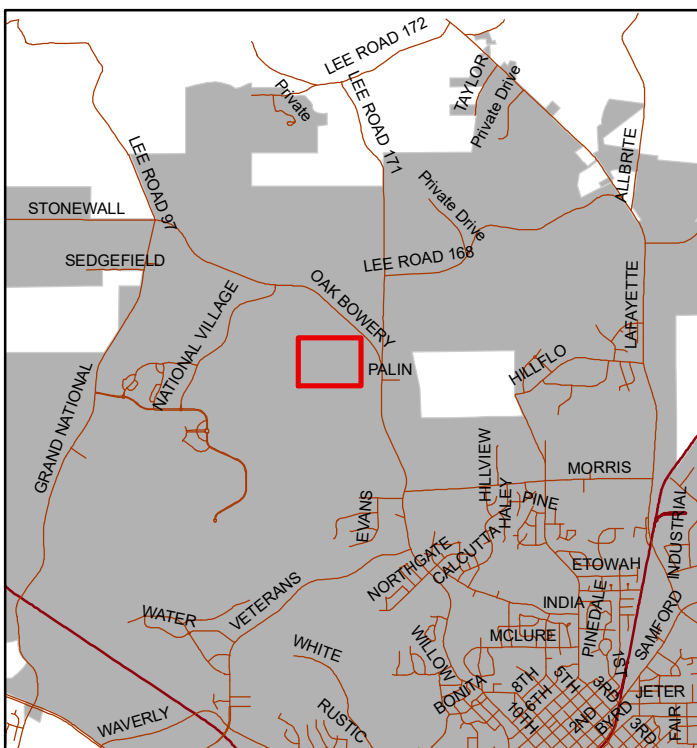
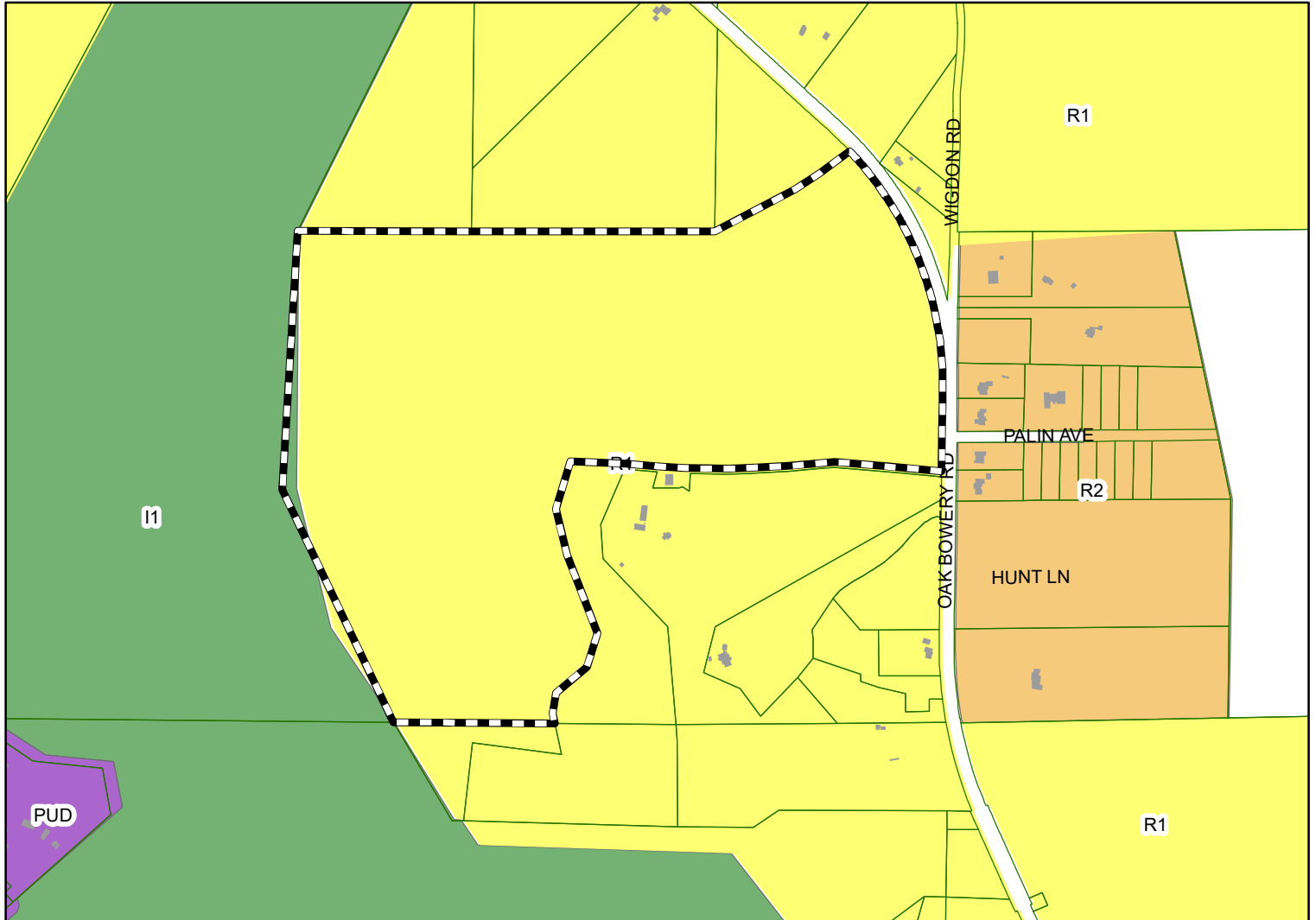
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

SHAW ESTATES SUBDIVISION

3400 OAK BOWERY ROAD

PRELIMINARY APPROVAL, A-1



The applicant is requesting approval for 31 single family home lots. The 149 acre property is in a R-1 zoning district.



Subject Property

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



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

PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 0 US HWY 29 N
PROPERTY OWNER: EDGAR HUGHSTON BUILDER, INC.
APPLICANT/AUTHORIZED REPRESENTATIVE: BRANDON BOLT
MAILING ADDRESS: 400 2nd AVENUE, OPELIKA, AL 36801
PHONE NUMBER: (334) 744-4016 **FAX NUMBER:** _____
EMAIL ADDRESS: brandon@boltengineering.net

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: FOX PATH Number of Lots: 28 x \$3.00 = \$ 84
 Current Land Use: VACANT Number of APO: 15 x \$6.74 = \$ 101.10
 (Adjacent Property Owners)
 Current Zoning: RURAL CENTER DISTRICT (BEAT 13)
 Fee: \$75.00
 Proposed use of the Subdivision: _____
TOTAL = 260.10
☒ Residential ☐ Commercial **PAID** 260.10
☐ Manufacturing/Industrial ☐ Office/Institutional

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

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:** _____

(PRINT NAME) JACK HUGHSTON

6.27.2022

DATE

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

Meeting Date: July 26, 2022

Subdivision: Fox Path Subdivision

Agenda Item #: A-2

Action Requested: Preliminary Approval

Location of Property: U.S. Hwy 29

Property Owner(s): Edgar Hughston Builders, Inc.
Brandon Bolt of Bolt Engineering Inc. (Representative)

Current Land Use: Undeveloped

Current Zoning: PJ (Planning Jurisdiction)

Flood Zone: None shown

Staff Comments:

The applicant is requesting final plat approval for a 28-lot subdivision. This subdivision is in the Planning Jurisdiction. The purpose of the subdivision is to build a residential subdivision. The lots range from 33,000 square foot to 2.73 acres. The total area is 33.25 acres including new rights-of-way and roadway. The minimum lot standards of R-2 shall apply to lots in the Planning Jurisdiction. This includes a of minimum of 15,000 sf lots and 80 ft lot width. These lots meet the minimum requirements for a subdivision in the Planning Jurisdiction.

Planning staff recommends preliminary approval subject to:

- 1. Lee County Planning approval and Lee County Engineering approval.**
 - 2. Beulah Utilities District approval.**
 - 3. Volunteer Fire Department approval.**
 - 4. Add flood zone note.**
 - 5. The name and recordation data for any existing adjoining subdivision should be shown.**
 - 6. Add the standard Opelika power and communications easement statement**
-

BEULAH UTILITIES DISTRICT

Opelika Planning Commission
RE: Fox Path Subdivision

In regards to the Fox Path Subdivision I have reached out to our engineers at GMC. They have run the water model and informed me that the District has enough water capacity to accommodate the 28 homes proposed for the subdivision. The issue is if they are required to install fire hydrants there is not enough flow to support 500gpm or greater on the 6" water main. The District does have hydrants along HWY 29 and in the process of building a full time Fire station located on Lee Road 266. If there are any questions or other concerns that I can assist with, please let me know.

Sincerely
James "Mack" Waites
Project Manager

Lee County Engineering Report

See attached markup. We approve the preliminary plat and construction plans at the same time, so we cannot approve this until we have the construction plans as well.

This will need Lee County Planning approval. Our planning director is Joel Hubbard. His email is Jhubbard@leeco.us

Let me know if you have any questions.

Kendall Andrews, P.E.

Lee County Highway Department
www.LeeCo.us
Phone: 334-737-7011
Fax: 334-745-6994
Email: Kandrews@leeco.us

Engineering Department Report

The developer will be required to submit an infrastructure construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Lee County and Opelika Engineering and Opelika 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.

Alabama Department of Transportation (ALDOT) will establish the requirements for a traffic study or turn lanes and will permit the access to the ALDOT managed roadway. It is also recommended that Ann Way and Ann Trail be stubbed to the northern western property line for a future development connections.

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

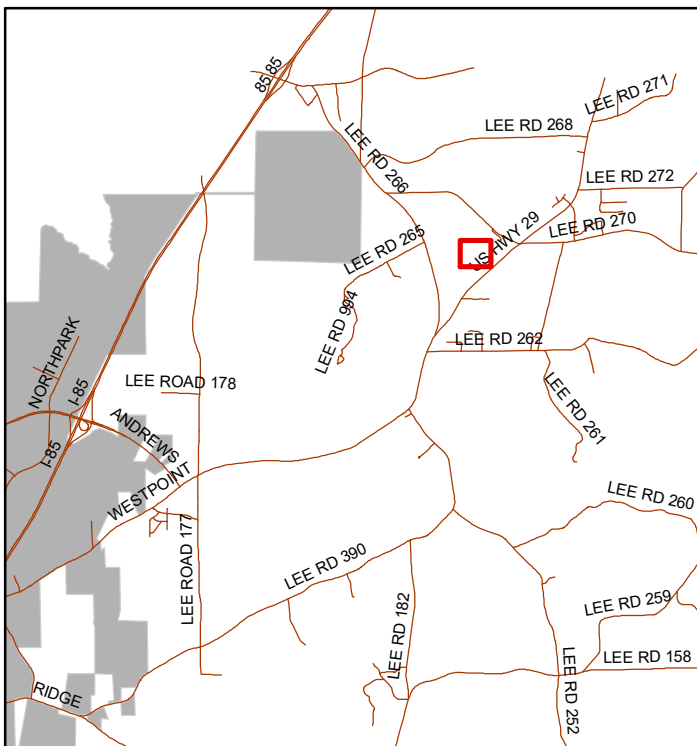
Opelika Utilities Board Report

This subdivision is located in the Beluah Utilities service area.

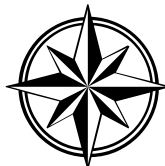
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

FOX PATH SUBDIVISION HIGHWAY 29 NORTH PRELIMINARY APPROVAL, A-2



The applicant is requesting approval for 28 single family home lots. The 33 acre property is 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 verification by an independent professional qualified to verify such information.

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

2989



PC DEADLINE: 07/05/22 PC MEETING: 07/26/22

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: RSA (Goodwyn Mills Cawood, LLC) on behalf of Opelika Utilities

MAILING ADDRESS: P.O. Box 242128, Montgomery, AL 36124

PHONE NUMBER: 334-271-3200 Email: max.vaughn@gmcnetwork.com

PARCEL INFORMATION

Site Address: National Village 6B (Spa Loop)

Description of proposed use: Single Family Residential

Tax Parcel Number: 43-04-07-35-0-000-002.000

Adjacent Zoning Districts: North: PUD South: PUD & I1 East: I1 West: PUD

Current Land Use: undeveloped

Current Zoning: I1

Proposed Zoning: PUD

Number of APO: 1 x \$7.00 = \$7.00
(Adjacent Property Owners)

Fee: \$125.00

TOTAL = 132.00

PAID: 132.00

I hereby request my property located at (street address) National Village 6B (Spa Loop),
 Tax Map parcel number 43-04-07-35-0-000-002.000 be rezoned from
 I1 to PUD to . A copy of the tax area map, a survey of the property, a copy of the deed
 for the property, and the names and addresses of all adjoining property owners are enclosed. I understand
 that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

6/30/22

(PRINT NAME) Max Vaughn, P.E.

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	July 26, 2022		
Agenda Item #:	B3		
Action Requested:	Amendment to the Future Land Use Map and Rezoning: 2.6 acres accessed at 3250 block Robert Trent Jones Trail (a) Amendment to Future Land Use map - from institutional land use category to mixed use development (b) Rezoning - from I-1 to PUD		
Location of Property:	3250 block Robert Trent Jones Trail		
Property Owner(s):	Opelika Utilities Max Vaughn, Goodwin, Mills & Cawood, for RSA (Retirements System of Alabama), authorized representative		
Current Zoning:	I-1		
Proposed Zoning:	PUD (Planned Use Development)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	PUD	Cottage homes/Marriot Resort (RSA property)
	South	I-1/PUD	RTJ Golf Trail (Opelika Utilities property)
	East	I-1	RTJ Golf Trail (Opelika Utilities property)
	West	PUD	Undeveloped/Cottage homes (RSA property)

Amendment to the Future Land Use Map

The 2030 Future Land Use Map (FLUM) shows the 2.6-acre rezoning property in an institutional land use category. This institutional land use area is about 1,140 acres, owned by Opelika Utilities and includes Saugahatchee Lake, Opelika's primary source of water supply. The only adjacent land use category next to the rezoning property is mixed-use – National Village PUD. The 600-acre mixed use area consists of single-family homes, cottage homes, and the Marriot Hotel Resort & Spa on 27 acres. The National Village master plan shows a future 30-acre commercial area adjacent to the Marriot.

The adjacent property east and south of the 2.6-acre rezoning property is the Robert Trent Jones golf course on Opelika Utilities property. The adjacent property on the north side is the Marriot Hotel property. The adjacent west side is undisturbed wooded area owned by RSA (Retirement

Systems of Alabama). RSA desires to add the 2.6-acre property to a 4.3-acre RSA parcel to construct single family homes.

Staff Recommendation

The rezoning request for the 2.6 acres requires an amendment to the 2030 FLUM concerning ‘land use category.’ If the rezoning is approved by City Council, staff recommends the 2030 Future Land Use map be amended for the 2.6 acres from an institutional land use category to a “mixed use development” land use category.

Rezoning

The applicant is requesting rezoning 2.6 acres from I-1 to PUD - National Village PUD zoning district. If the rezoning is approved, the 2.6 acres will be combined with a 4.3-acre parcel for seven single family home lots. The seven lots are adjacent to the RTJ Golf Trail and near Saugahatchee Lake. A new street will be constructed for the lots; the street is accessed from Robert Trent Jones Trail. The seven lots are larger than other single-family home lots in National Village. Existing lots range from 9,000 sf to 12,000 sf. Cottage-style single family home lots located near the proposed seven lots range from 3,500 to 7,200 sf. Five of the seven lots are 15,000 square feet (sf), one lot 22,000 sf, and one lot 30,000 sf. A 38,000-sf wooded area located between the seven lots and Robert Trent Jones Trail serve as a buffer.

Recommendation

The larger seven lots provide another option and style of home in National Village. **Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from I-1 to PUD.**

Engineering Department Report

The Engineering Department has no concerns with this rezoning recommends approval.

Opelika Utilities Board Report

Opelika Utilities request a positive recommendation to the city council.

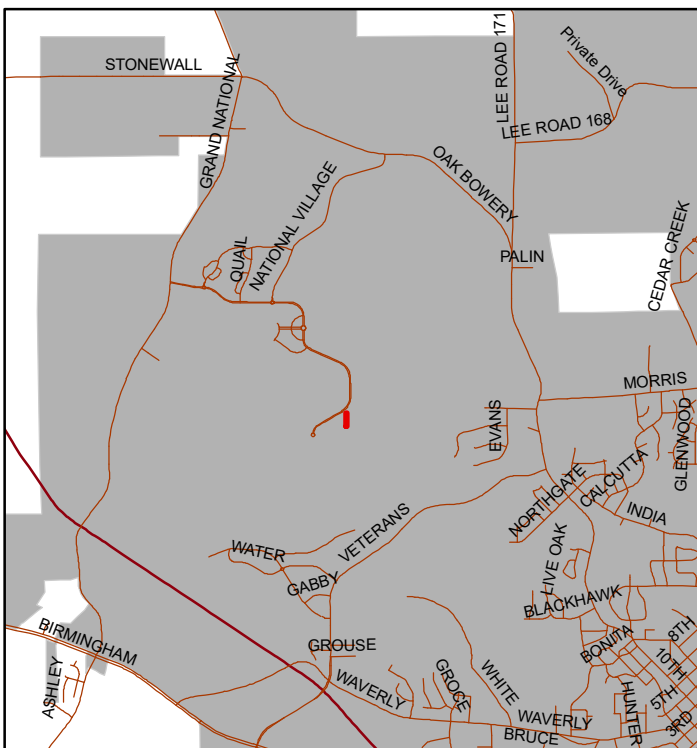
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

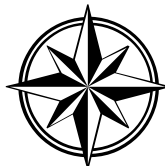
NATIONAL VILLAGE PUD - REZONING AND PLAT

3250 BLOCK ROBERT TRENT JONES TRAIL

I-1 TO PUD AND PRELIMINARY PLAT APPROVAL, B3 & B4



The applicant is requesting rezoning to PUD and preliminary plat approval to add 2.6 acres to the National Village PUD.



Subject Property

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

2020

DEADLINE: 07/05/22 MEETING: 07/26/22SITE ADDRESS: National Village Plat 6B (Spa Loop)PROPERTY OWNER: Opelika UtilitiesAPPLICANT/AUTHORIZED REPRESENTATIVE: RSA (Goodwyn Mills Cawood, LLC) on behalf of Opelika UtilitiesMAILING ADDRESS: P.O. Box 242128, Montgomery, AL 36124PHONE NUMBER: 334-271-3200 FAX NUMBER: 334-272-1566EMAIL ADDRESS: max.vaughn@gmcnetwork.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL ☐
Does the subdivision require any other official action by the City? Yes
☐ Annexation ☒ Rezoning ☐ Other _____
PARCEL INFORMATIONSubdivision Name: National VillageCurrent Land Use: undevelopedCurrent Zoning: I1Proposed use of the Subdivision: Single Family Residential
☒ Residential ☐ Commercial
☐ Manufacturing/Industrial ☐ Office/Institutional
Number of Lots: 1 x \$3.00 = \$3.00Number of APO: 1 x \$7.00 = \$7.00
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = \$85.00**PAID \$85.00**

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) National Village Plat 6B Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:(PRINT NAME) Max Vaughn, P.E.

06/30/22

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022

Agenda Item #: B-4

Action Requested: Preliminary Plat Approval

Location of Property: 3250 block Robert Trent Jones Trail

Property Owner(s): Opelika Utilities
Max Vaughn, Goodwin, Mills & Cawood, for RSA (Retirements System of Alabama), authorized representative

Current Zoning: I-1

Existing Land Use: Undeveloped

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0062G & 01081C0066G – in “Zone X” Zone X area is outside the 0.2% annual chance floodplains and in “Zone A” Zone A area is Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance of flood. No Base Flood Elevations determined.

Staff Comments:

The applicant is proposing a two (2) lot subdivision along Spa Loop. The lot, Lot 24 would be divided from the larger golf course and lake property owned by the Water Works Board of Opelika. The utility is selling the property to the Retirement Systems of Alabama for inclusion in the National Village development. The property would be rezoned, as mentioned in the previous case, to be part of the PUD.

The lot takes access off Spa Loop, which is a private road. The remainder lot should be referenced but does not have to surveyed due to its size. Otherwise, the plat is consistent with the City of Opelika subdivision regulations. It should be noted that this plat could be handled administratively due to the number of lots and lack of infrastructure that would need to be installed, but the applicant requested it go through Planning Commission.

Planning staff recommends preliminary approval subject to the following:

1. The parent parcel should be depicted on the plat in some way. The existing vicinity map can suffice if some parcel designation and an approximate acreage is given. For this remainder, the surveyor can state that “This Portion is not Resurveyed at this Time” or similar.
2. Remove the Lee County Engineer’s certificate.
3. The subtitle indicates that the parcel is in Sections 34 and 35 but the drawing indicates that it is in Section 35 only
4. Confirm whether the easements shown on Saugahatchee Creek plat on Lot 4 are present.
5. Show the names and recordation information of any adjoining subdivisions should be shown.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed plat and recommends preliminary plat approval.

Opelika Utilities Board Report

Recommend approval.

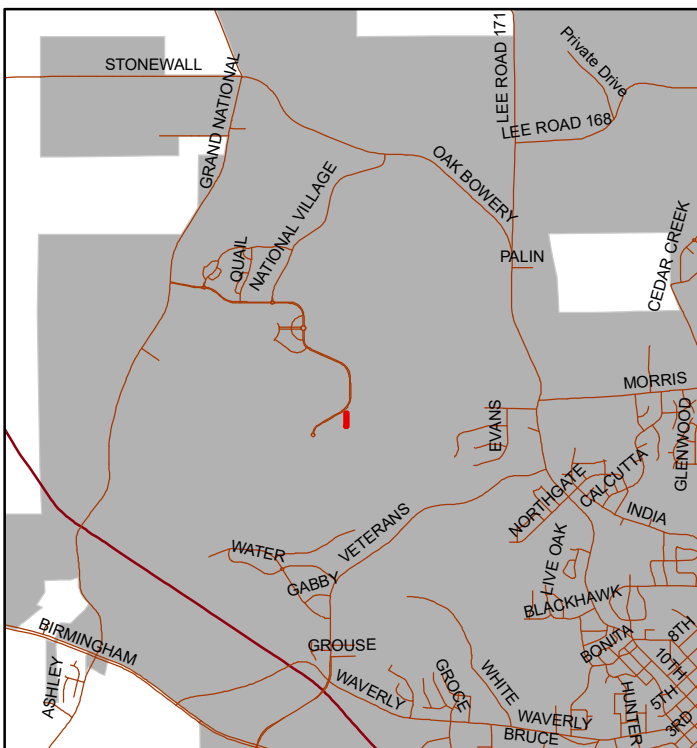
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

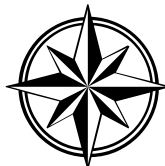
NATIONAL VILLAGE PUD - REZONING AND PLAT

3250 BLOCK ROBERT TRENT JONES TRAIL

I-1 TO PUD AND PRELIMINARY PLAT APPROVAL, B3 & B4



The applicant is requesting rezoning to PUD and preliminary plat approval to add 2.6 acres to the National Village PUD.



Subject Property

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NATIONAL VILLAGE
PHASE 6B
SECTION 34 AND 35 T 20 N R 26 E
OPELIKA LEE COUNTY ALABAMA

State of Alabama
Lee County
I, Michael T. Maher, a Licensed Land Surveyor 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 the surveying in the State of Alabama to the best of my knowledge, information, and belief.
In witness whereof, I have hereunto set my hand and seal on this the _____ day of September, 2022.

Michael T. Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.

State of Alabama
Lee County
Retirement Systems of Alabama, owner of the real property shown on this plat, hereby joins in the statement of Michael T. Maher, and certifies that it was and its purpose to subdivide the lands as plotted as shown.
In witness whereof, I have hereunto set my hand on this the _____ day of September, 2022.

The Employees' Retirement System of Alabama

By: Dr. David G. Bronner, CEO

The Teachers' Retirement System of Alabama

By: Dr. David G. Bronner, CEO

State of Alabama
Lee County
I, _____ a Notary Public, in and for said County in said State, hereby certify that _____ whose name as director of the Employees Retirement Systems of Alabama, and CEO of the Teachers' Retirement System of Alabama is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2022.
Notary Public: _____ My commission expires: _____
State of Alabama
Lee County

Water Works Board of Opelika, owner of the real property shown on this plat, hereby joins in the statement of Michael T. Maher, and certifies that it was and its purpose to subdivide the lands as plotted as shown.
In witness whereof, I have hereunto set my hand on this the _____ day of August, 2022.

Director _____ Date _____
State of Alabama
Lee County

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

In witness whereof, I have hereunto set my hand and seal on this the _____ day of _____, 2022.
Notary Public: _____ My commission expires: _____

Approved by the Opelika City Planner, Opelika, Alabama: _____ Date: _____

Planner: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama: _____ Date: _____

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama: _____ Date: _____

Engineer: _____ Date: _____

Reviewed by Opelika Light and Power, Opelika, Alabama: _____ Date: _____

Opelika Light and Power: _____ Date: _____

Approved by the Public Works Director, Opelika, Alabama: _____ Date: _____

Opelika Public Works Director: _____ 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 October, 2014.

County Engineer
County of Lee, Alabama

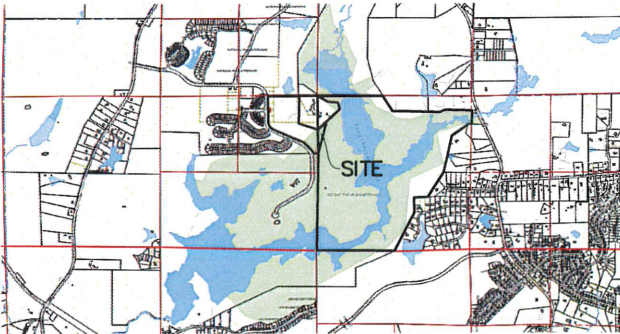
- NOTES:
- EASEMENTS WORTH FOR STORM DRAINAGE AND SANITARY SEWERS ARE AS SHOWN ON THIS PLAT. LOCATION ON THE GROUND MAY VARY SLIGHTLY FROM THE PLAT, BUT SHALL BE DEEMED TO BE CENTERED ON ACTUAL CENTERLINE OF THE SANITARY SEWER AND STORM PIPE AS IT EXISTS ON SITE, FROM MANHOLE TO MANHOLE OR INLET TO INLET.
 - PROPERTY IS LOCATED IN MINIMAL FLOOD HAZARD AREA PER FEMA FIRM PANEL NUMBER 0808000860 EFFECTIVE DATE NOVEMBER 2, 2011. NO PORTION OF PHASE 6A LIES WITHIN A SPECIAL FLOOD HAZARD AREA.
 - SUBDIVISION IS LOCATED WITHIN THE SAUGHATCHEE WATERSHED PROTECTION AREA.
 - BEARING BASE: NAD83 ALABAMA EAST ZONE, US FOOT USING RTK GPS, AUBURN CORS AS CONTROL.
 - FIELD WORK COMPLETED: MAY 9, 2022. OFFICE WORK COMPLETED: JUNE 24, 2022.
 - SOURCE OF INFORMATION: DB 1743 PG 244, DB 2307 PG 354, DB 1707 PG 256; PLAT BOOK 42, PAGE 186.
 - SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS, OR RESTRICTIONS WHICH EXIST AS A MATTER OF RECORD OR EXIST DE FACTO.
 - UPON DEDICATION OF A CITY APPROVED RIGHT OF WAY AN EASEMENT SHALL BE GRANTED BY SUBDIVISION PLAT 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, CUY WRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.
 - THIS SITE IS SERVED BY OPELIKA SEWER AND OPELIKA WATER.

OWNER/DEVELOPER:
EMPLOYEES RETIREMENT
SYSTEMS OF ALABAMA
135 S. UNION ST.
MONTGOMERY, AL 36130

WATER WORKS BOARD OF
OPELIKA
CITY HALL
OPELIKA, AL 36801

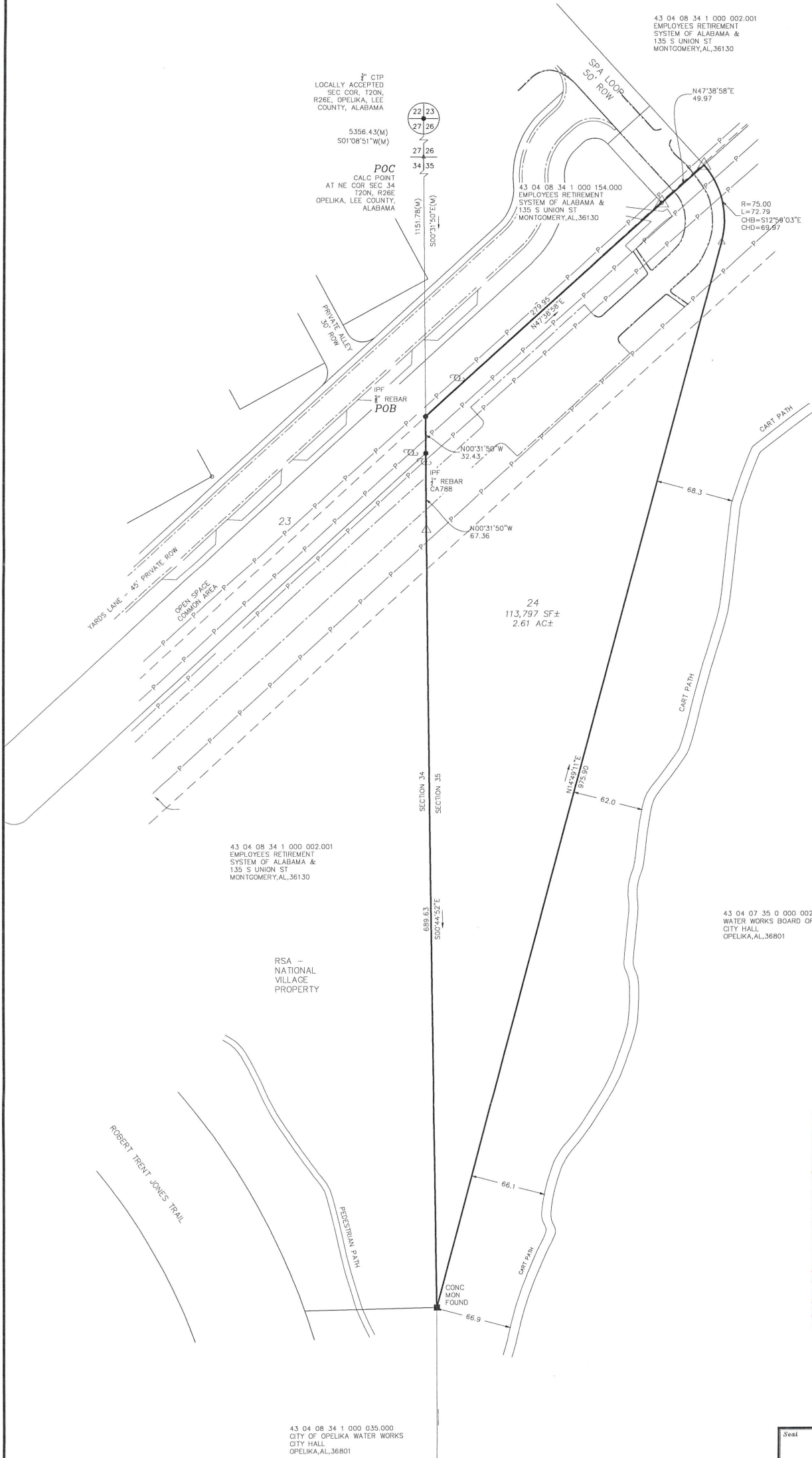
LEGEND
(M) = MEASURED
(R) = RECORDED
OTIP = OPEN TOP PIPE
CTIP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
○ = 1/2" REBAR SET (CA-788)
■ = HUB SET
△ = CALCULATED POINT
□ = CONCRETE MONUMENT
+ = POWER POLE
-X- = WIRE FENCE
-// = WOOD FENCE
-O-O- = CHAIN LINK FENCE

GRAPHIC SCALE 1"=50'
50' 0 50' 100' 150'



VICINITY MAP - NOT TO SCALE

Seal	Drawn By: MTM Scale: 1"=50' File Name: 19-563-SD 6B Date: 6-24-2022	PRECISION SURVEYING Sheet Title: NATIONAL VILLAGE PHASE 6B OPELIKA, LEE COUNTY, ALABAMA	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
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APPLICATION FOR SUBDIVISION APPROVAL PLANNING DEPARTMENT

700 FOX TRAIL
OPELIKA, AL 36801

2487

PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: 4055 Water Street
PROPERTY OWNER: City of Opelika Water Works
APPLICANT/AUTHORIZED REPRESENTATIVE: Barrett-Simpson, Inc.
MAILING ADDRESS: 223 S. 9th Street
PHONE NUMBER: 334-745-7026 **FAX NUMBER:** n/a
EMAIL ADDRESS: jham@barrett-simpson.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: Opelika Utilities Property

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

Current Land Use: Institutional

Number of APO: 78 x \$7.00 = \$ 546.00
(Adjacent Property Owners)

Current Zoning: I1, R1, R2, R3, R4, PUD

Fee: \$75.00

Proposed use of the Subdivision: No Change

TOTAL = \$636.00

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

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Opelika Utilities Property 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

7/1/22

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022

Agenda Item #: C-5

Action Requested: Preliminary and Final Plat Approval

Location of Property: 4055 Water Street

Property Owner(s): Utilities Board of the City of Opelika
Blake Rice, Barrett-Simpson, authorized representative

Current Zoning: I-1 and R-3

Existing Land Use: Undeveloped

Flood Zone: FEMA – November 2, 2011 – MAP#01081C0062G & 01081C0066G – in “Zone X” Zone X area is outside the 0.2% annual chance floodplains and in “Zone A” Zone A area is Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance of flood. No Base Flood Elevations determined.

Staff Comments:

The applicant is proposing a five (5) lot subdivision along Water Street and Saugahatchee Lake Road. The lots include platting property that was created by the construction of Water Street, but had never been platted previously. This includes Lots 3-5. Lot 1 is a new lot including 100.35 acres. This property will have frontage on Saugahatchee Lake Road. There are no immediate plans for this lot. The remainder lot, Lot 2, includes a 100-foot strip along the southern right-of-way of Water Street. This strip connects back to the larger lake property and allows the Utility Board to control or prevent future development along Water Street leading to their headquarters.

The plat does not show the structures at the police training facility. There are also some easements in Lot 4 that were shown on a previous plat that are not present. Otherwise, the plat is consistent with the City of Opelika subdivision regulations.

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

1. Add the standard Opelika easement note.
2. Confirm whether the easements shown on Saugahatchee Creek plat on Lot 4 are present.

3. Show all structures on the property.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed plat and recommends preliminary and final plat approval.

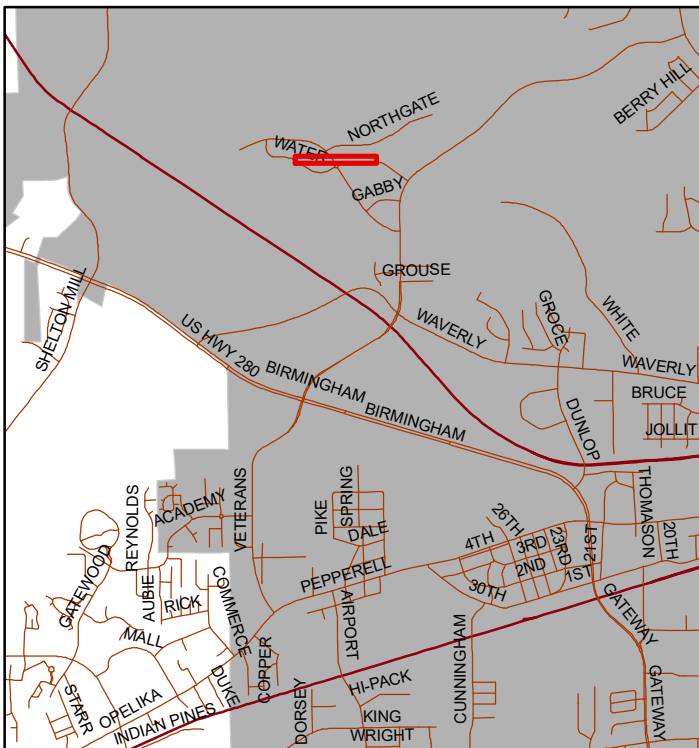
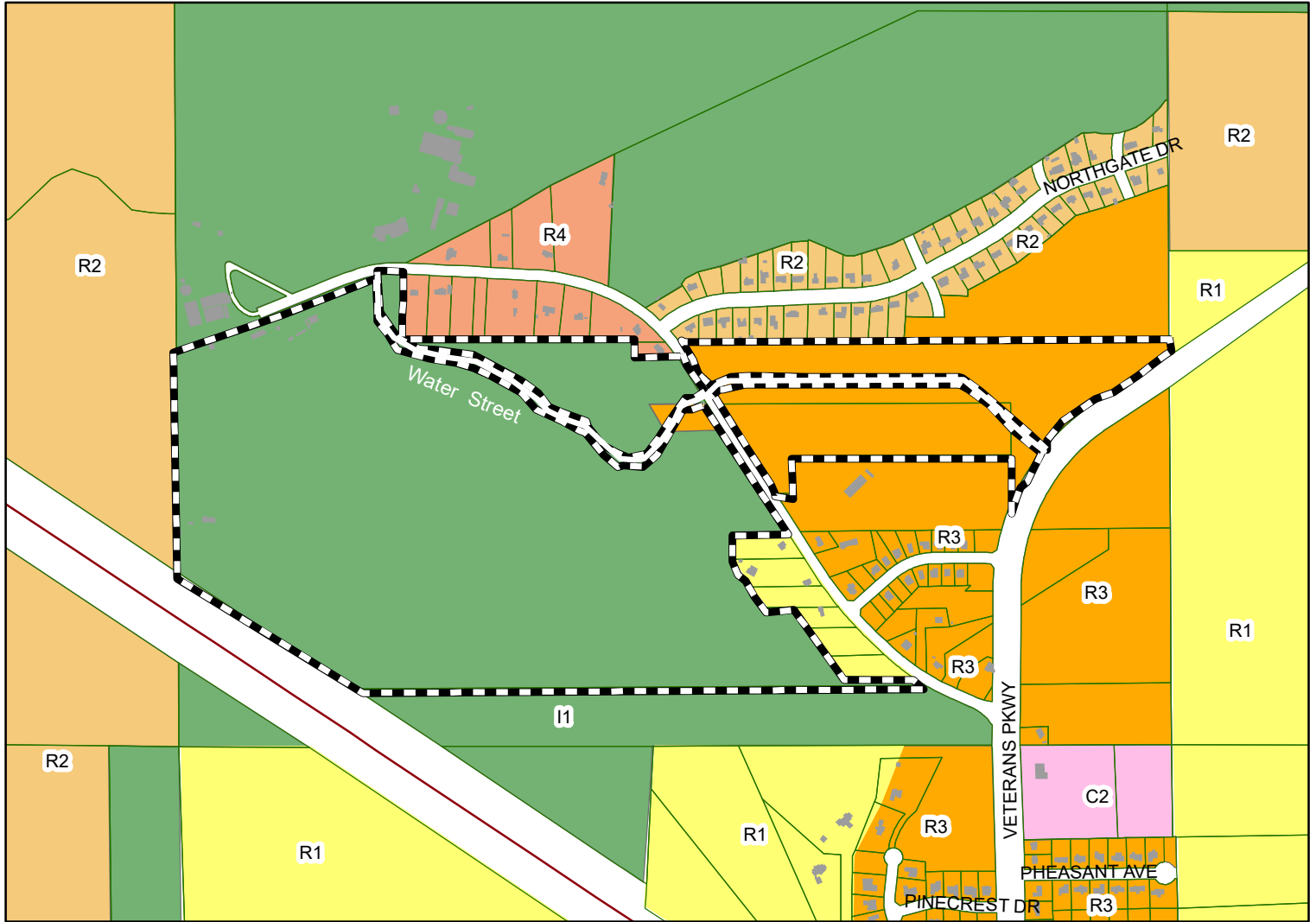
Opelika Utilities Board Report

Recommend approval.

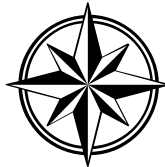
Opelika Power Services Report

This subdivision is inside the Opelika Power and Alabama Power Service territory.

**OPELIKA UTILITIES PROPERTY SUBDIVISION
4055 WATER STREET
PRELIMINARY AND FINAL PLAT APPROVAL, C-5**

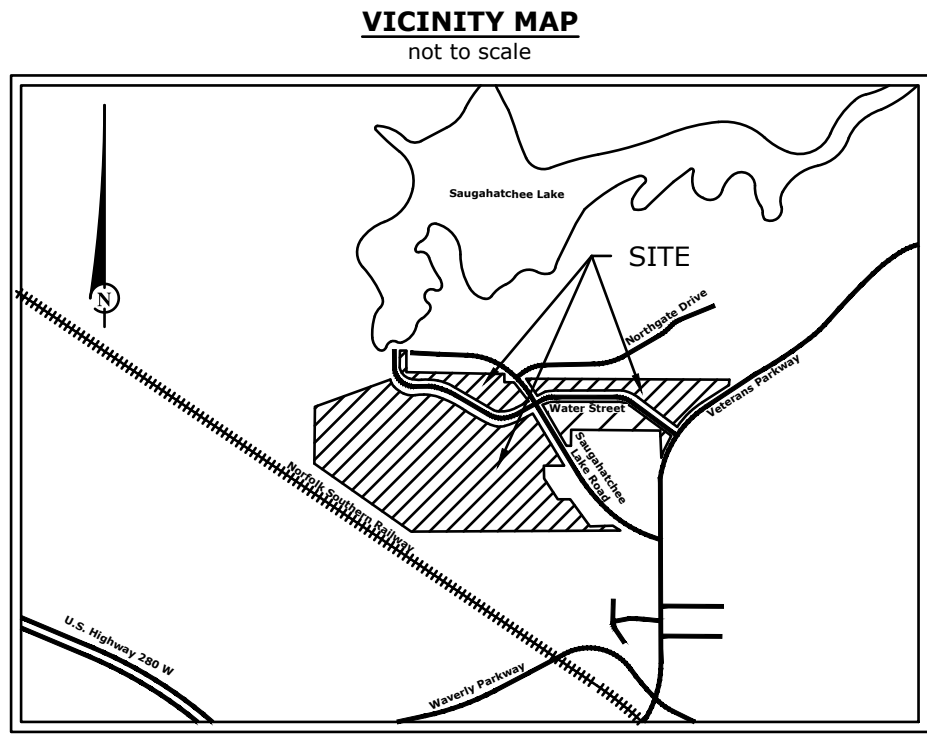
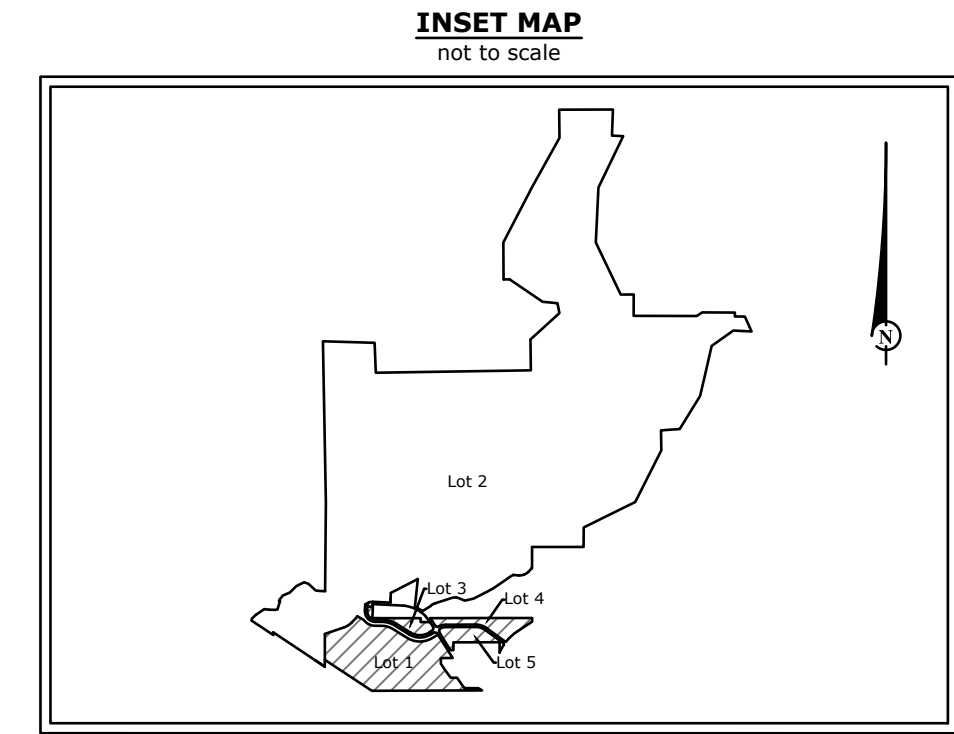


The applicant is requesting approval for four lots. The property is owned by Opelika Utilities and zoned I-1.



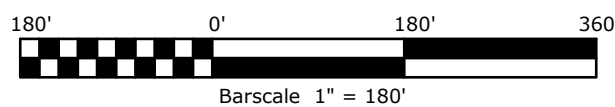
Subject Property

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



PLAT OF
OPELIKA UTILITIES PROPERTY

BEING A PART OF SECTION 3, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA



DEDICATION

I, Utilities Board of the City of Opelika, as the owner of said lands surveyed by Barrett-Simpson Inc., do hereby certify that title was and is vested in said owner 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.

Utilities Board of the City of Opelika
Authorized Signature

**ACKNOWLEDGEMENT STATE OF ALABAMA
LEE COUNTY**

I, _____, a Notary Public in and for said County in said State, hereby certify that Utilities Board of the City of Opelika, 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.

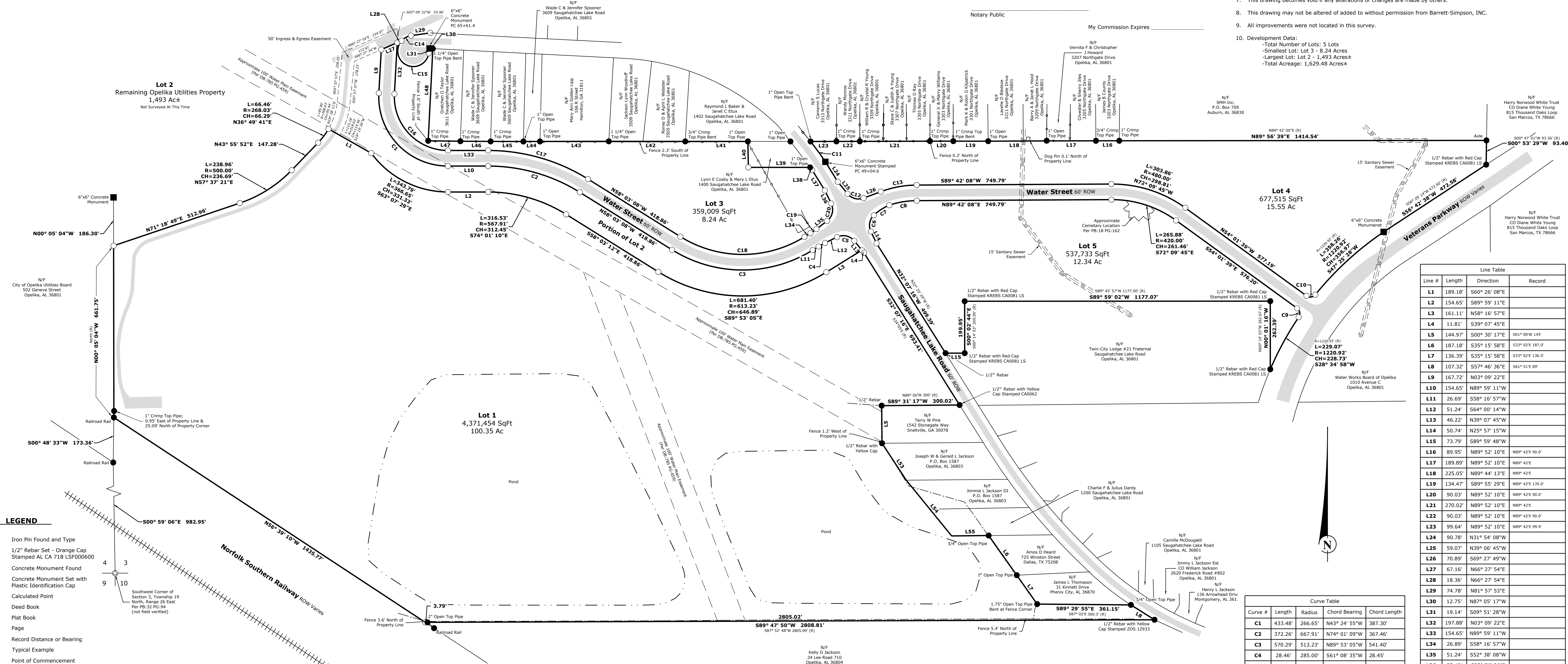
Given under my hand this the _____ day of _____, 2022.

Notary Public

My Commission Expires _____

NOTES:

- Survey North: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT CORS as reference.
- Basis for Survey:
 - Deed Book 1279, Page 229, Probate Office, Lee County, Alabama.
 - Deed Book 785, Page 459, Probate Office, Lee County, Alabama.
 - Saugahatchee Lake Road Subdivision, Plat Book 18, Page 162, Probate Office, Lee County, Alabama
- Other Sources for Survey:
 - Deed Book 149, Page 339, Probate Office, Lee County, Alabama.
 - Deed Book 2649, Page 652, Probate Office, Lee County, Alabama.
 - Saugahatchee Creek, Plat Book 32, Page 94, Probate Office, Lee County, Alabama
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0066G and No. 01081C0062G, effective November 2, 2011, the subject property is located:
 - Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
 - Zone A (shaded) - Special Flood Hazard area subject to inundation by the 1% annual chance flood. (Located in that portion of Lot 2 which was not surveyed at this time)
- 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 of added to without permission from Barrett-Simpson, INC.
- All improvements were not located in this survey.
- Development Data:
 - Total Number of Lots: 5 Lots
 - Smallest Lot: Lot 3 - 8.24 Acres
 - Largest Lot: Lot 2 - 1,493 Acres±
 - Total Acreage: 1,629.48 Acres±



- LEGEND**
- Iron Pin Found and Type
 - 1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
 - Concrete Monument Found
 - Concrete Monument Set with Plastic Identification Cap
 - ⊙ Calculated Point
 - DB: Deed Book
 - PB: Plat Book
 - PG: Page
 - (R) Record Distance or Bearing
 - (TYP.) Typical Example
 - POC Point of Commencement
 - POB Point of Beginning
 - ROW Right - of - Way
 - N/F Now or Formerly
 - Not to Scale
 - Concrete
 - Asphalt Paving
 - SS Sewer Line w/Sanitary Sewer Manhole
 - Chain Link Fence
 - Wire Fence
 - Wooden Fence

**Preliminary
For Review Only**
Date: 07/01/2022

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 Alabama. I am a duly Licensed Professional Surveyor, and, therefore, I am qualified to perform the services shown on this drawing, and I am not aware of any facts or circumstances that would make this drawing misleading or incomplete.

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

OWNER
Utilities Board of the City of Opelika
P.O. BOX 1029
Opelika, AL 36803

PROJECT NO: 21-0356
SCALE: 1" = 180'
FIELD BY: CAJ
DRAWN BY: APD
FIELD DATE: 06/15/2022
DRAWN DATE: 07/01/2022

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: _____

Line Table			
Line #	Length	Direction	Record
L1	189.18'	S60° 26' 08"E	
L2	154.65'	S89° 59' 11"E	
L3	161.11'	N58° 16' 57"E	
L4	11.81'	S39° 07' 45"E	
L5	144.97'	S00° 30' 17"E	S01° 00'W 145'
L6	187.18'	S35° 15' 58"E	S33° 02'E 187.0'
L7	136.39'	S35° 15' 58"E	S33° 02'E 136.5'
L8	107.32'	S57° 46' 36"E	S61° 51'E 89'
L9	167.72'	N03° 09' 22"E	
L10	154.65'	S89° 59' 11"W	
L11	26.69'	S58° 16' 57"W	
L12	51.24'	S64° 00' 14"W	
L13	46.22'	N39° 07' 45"W	
L14	50.74'	N25° 57' 15"W	
L15	73.79'	S89° 59' 48"W	
L16	89.95'	N89° 52' 10"E	N89° 42'E 90.0'
L17	189.89'	N89° 52' 10"E	N89° 42'E
L18	225.05'	N89° 44' 13"E	N89° 42'E
L19	134.47'	S89° 55' 29"E	N89° 42'E 135.0'
L20	90.03'	N89° 52' 10"E	N89° 42'E 90.0'
L21	270.02'	N89° 52' 10"E	N89° 42'E
L22	90.03'	N89° 52' 10"E	N89° 42'E 90.0'
L23	99.64'	N89° 52' 10"E	N89° 42'E 99.9'
L24	90.78'	N31° 54' 08"W	
L25	59.07'	N39° 06' 45"W	
L26	70.89'	S69° 27' 49"W	
L27	67.16'	N66° 27' 54"E	
L28	18.36'	N66° 27' 54"E	
L29	74.78'	N81° 57' 53"E	
L30	12.75'	N87° 05' 17"W	
L31	19.14'	S09° 51' 28"W	
L32	197.88'	N03° 09' 22"E	
L33	154.65'	N89° 59' 11"W	N89° 06'E 116.56'
L34	26.89'	S58° 16' 57"W	
L35	51.24'	S52° 38' 08"W	
L36	55.42'	S25° 56' 36"E	
L37	92.63'	S31° 54' 08"E	
L38	12.98'	S37° 03' 56"E	
L39	237.90'	S89° 59' 19"E	East 237.9'
L40	100.00'	S01° 09' 36"E	South 100'
L41	241.21'	N89° 59' 51"E	S89° 29'E
L42	294.45'	S89° 55' 35"E	S89° 29'E
L43	264.99'	N89° 53' 30"E	S89° 29'E 265.4'
L44	64.08'	N89° 50' 51"E	S89° 29'E 64.1'
L45	125.93'	S89° 52' 20"E	S89° 29'E 126.2'
L46	116.53'	S89° 37' 32"E	S89° 06'E 116.56'
L47	124.94'	S89° 15' 04"E	S89° 29'E 125.0'
L48	355.71'	N02° 53' 28"E	N03° 35'E 358.8'
L49	170.15'	S33° 17' 57"E	S31° 48'E 170.1'
L50	276.93'	S39° 09' 09"E	S34° 40'E
L51	142.52'	N89° 23' 16"E	

Curve Table			
Curve #	Length	Chord Bearing	Chord Length
C1	433.48'	N43° 24' 55"W	387.30'
C2	372.26'	N74° 01' 09"W	367.46'
C3	570.29'	N89° 53' 05"W	541.40'
C4	28.46'	S61° 08' 35"W	28.45'
C5	73.79'	N77° 33' 46"W	68.38'
C6	68.04'	N10° 18' 56"E	63.78'
C7	71.71'	N56° 59' 36"E	71.31'
C8	107.58'	N80° 38' 16"E	107.13'
C9	38.39'	S10° 02' 06"E	34.73'
C10	37.94'	S82° 29' 43"W	34.40'
C11	97.13'	N36° 04' 06"W	97.10'
C12	68.35'	N74° 42' 30"E	64.04'
C13	141.29'	S79° 34' 58"W	140.56'
C14	42.42'	N61° 42' 30"E	41.55'
C15	222.95'	N64° 59' 59"W	115.09'
C16	335.94'	N43° 24' 55"W	300.15'
C17	405.71'	N74° 01' 09"W	400.47'
C18	503.61'	N89° 53' 05"W	478.10'
C19	28.09'	S55° 27' 32"W	28.08'
C20	75.44'	S13° 20' 46"W	69.66'



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Legacy Circle

PROPERTY OWNER: Clayton Properties Group, Inc.

APPLICANT/AUTHORIZED REPRESENTATIVE: Brooks Harris

MAILING ADDRESS: 3111 Timberlake Rd. Birmingham, AL 35243

PHONE NUMBER: 205-982-2896 **FAX NUMBER:** N/A

EMAIL ADDRESS: ledge@baseline-llc.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

20 LOTS

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATIONSubdivision Name: Legacy Village Townhomes Phase 4Current Land Use: residentialCurrent Zoning: C2Proposed 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) Legacy Village Townhomes Ph. 4 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

(PRINT NAME) Brooks Harris, Manager

DATE

7/5/22

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022

Subdivision: Legacy Village Townhomes SD, Phase 4

Agenda Item #: D-6

Action Requested: Final Approval

Location of Property: Legacy Circle off Century Boulevard

Property Owner(s): Clayton Properties Group, Inc./Brooks Harris, manager
Brett Basquin, Foresite Group, Inc., authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

Proposal

The applicant is requesting final plat approval for 20 lots of a 53-lot townhome subdivision. Nineteen lots are townhome units. The townhome units are attached together sharing a common side wall. Two groups of townhomes have 6 units each and one townhome group has 7 units. Parcel B, a 3.8-acre lot, is labeled “common area.” A townhome unit on a single lot will be sold including the front and rear yard areas. The 19 townhome lots meet the minimum yard size requirement of at least 50% of the main floor size of a unit. The lots exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The lot widths range from 27’ to 52’ and the lot area from 3,050 square feet (sf) to 5,870 sf. Each unit has two parking spaces as required. Underground utilities are installed, and sidewalks are installed along the streets. A 5’ access easement is shown along the rear property lines of each townhome group providing access to Parcel B. Parcel B (5.4 acres) is in a floodplain and will remain as an open space lot. Parcel B is maintained by the Legacy Townhomes HOA (Homeowner’s Association) as stated on the plat (note #10). The exterior building material is brick on front wall and lap siding and/or board & batten on side and rear walls.

A landscape buffer is planted along Century Boulevard consisting of trees and shrubs. A landscape plan for each townhome group was submitted for each townhome group; the landscape plan is typically 11 trees and 8 shrubs planted in the front yard of a townhome group.

Staff recommends final approval subject to the following installed before a CO (certificate of occupancy) is issued:

1. Install landscaping, grass & ground cover on all yard areas.
2. Any fencing by developer/property owners should be consistent on all lots.
3. On final plat, add a pin symbol on the right of way between Lots 50 and 51.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposed plat and recommends preliminary and final plat approval.

Opelika Utilities Board Report

Recommend approval pending water system testing and final inspection.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

FINAL PLAT APPROVAL, D-6



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

LEGACY VILLAGE TOWNHOMES
PHASE 4

ADJOINERS ACROSS CENTURY BOULEVARD

LOT 7, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 169.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 11, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 173.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 8, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 170.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 12, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 174.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 9, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 171.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 13, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 175.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 10, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 172.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LOT 14, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 176.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

PARCEL A, CENTURY PARK (P.B. 23, PG 122)
43 09 08 13 3 000 180.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

LEGEND

OT CRIMPED TOP
OT OPEN TOP
IPFD IRON PIPE FOUND
IPSC IRON PIPE SET
PC CALCULATED POINT
C CONCRETE MONUMENT FOUND
S SINK NAIL SET
R.O.W. RIGHT-OF-WAY
P FIELD MEASUREMENT
P PLAT DIMENSION

LINE TABLE

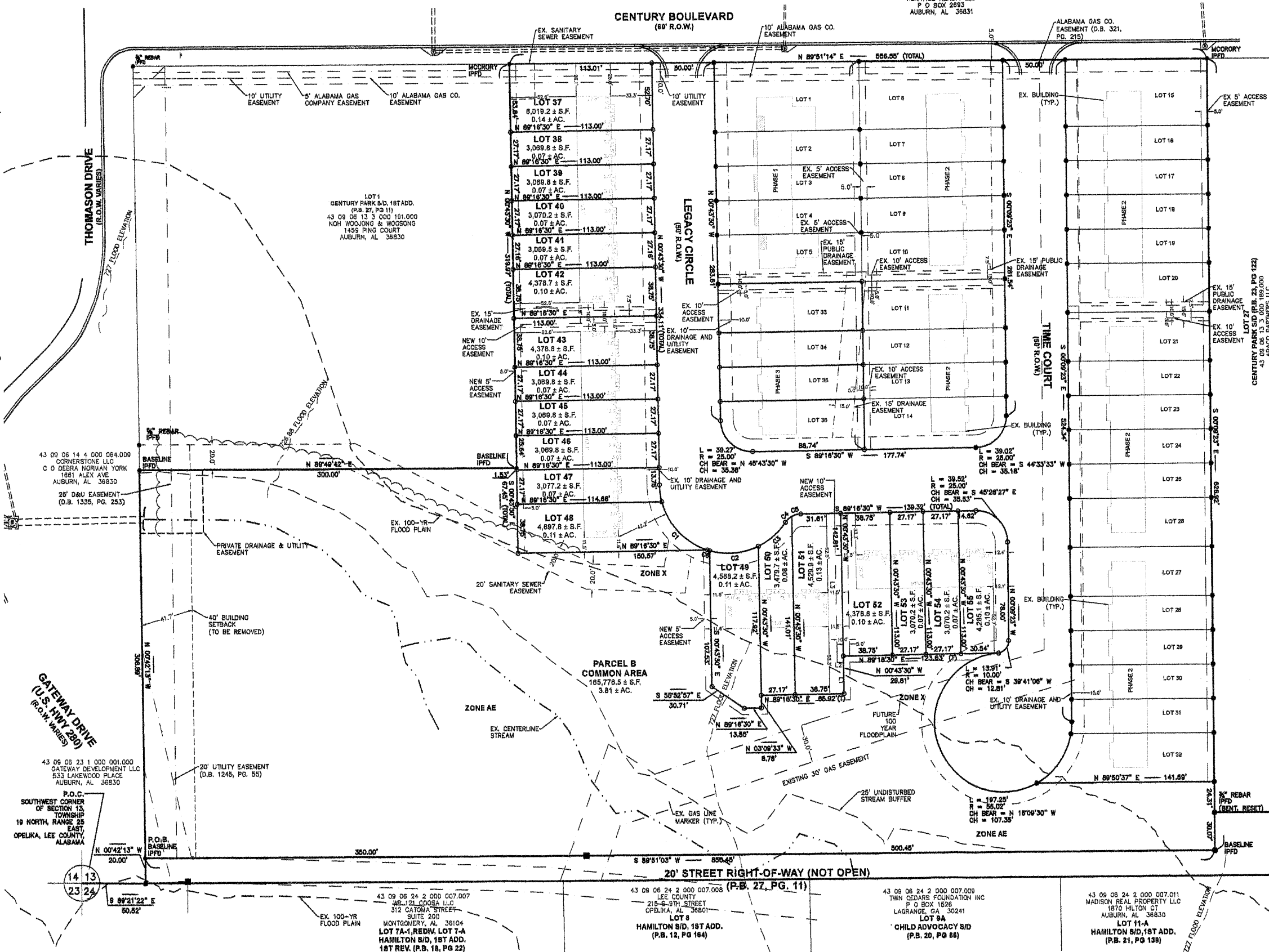
LINE	BEARING	DISTANCE
L1	N 00°43'30" W	24.81'
L2	N 89°18'30" W	8.00'
L3	N 00°43'30" W	118.00'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	55.00'	55.71'	52.83'	N 43°32'57" W	57°24'38"
C2	55.00'	39.71'	35.85'	S 65°34'50" W	41°18'11"
C3	55.00'	23.08'	21.22'	N 49°03'38" E	30°18'11"
C4	13.00'	7.00'	6.94'	N 47°29'39" E	28°44'18"
C5	13.00'	7.44'	7.38'	S 75°04'09" W	28°24'42"
C6	55.00'	11.50'	11.50'	S 73°14'40" E	11°58'52"



SCALE: 1"= 40'



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 14TH DAY OF JUNE, 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, BROOKS HARRIS, AS MANAGER FOR CLAYTON PROPERTIES GROUP INC, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

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

BROOKS HARRIS, MANAGER
CLAYTON PROPERTIES GROUP INC

STATE OF ALABAMA
LEE COUNTY

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT BROOKS HARRIS, 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 JUNE, 2022.

NOTARY PUBLIC: MY COMMISSION EXPIRES: _____

NOTES:

1. THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
2. BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST. VERTICAL DATUM IS NAVD 83.
3. NORTH IS BASED ON GRID NORTH.
4. FIELDWORK COMPLETED JANUARY 18, 2022. OFFICEWORK COMPLETED JUNE 14, 2022.
5. A REQUEST FOR UNDERGROUND UTILITY WAS CALLED IN TO ALABAMA ONE CALL (811) SERVICE. ALL UNDERGROUND UTILITIES SHOWN WERE LOCATED AS PER TICKET REQUEST NO. 000310226. BEFORE DIGGING, PLEASE CONTACT 811 TO RE-VERIFY THE PRESENCE OF UTILITIES.
6. ACCORDING TO FEMA FIRM MAP NUMBER 010810000G, PANEL 89 OF 891, FOR OPELIKA, LEE COUNTY ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PARCEL LIES IN ZONES X AND AE. ZONE X BEING A ZONE OF MINIMAL FLOODING AND ZONE AE BEING A ZONE OF REGULATORY FLOODING.
7. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUTTERS 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.
8. THIS PLAT ORIGINATES FROM CENTURY PARK SUBDIVISION, 1ST ADDITION, FOUND IN PLAT BOOK 27, PAGE 11, IN THE LEE COUNTY PROBATE OFFICE, LEE COUNTY, ALABAMA.
9. THE PROPERTY OWNER IS CLAYTON PROPERTIES GROUP INC, 3111 TIMBERLAKE ROAD, BIRMINGHAM, AL 35243.
10. LEGACY VILLAGE TOWNHOMES HOME OWNER ASSOCIATION WILL MAINTAIN ALL COMMON AREAS.
11. DEVELOPER INFO: CLAYTON PROPERTIES GROUP INC, 3111 TIMBERLAKE ROAD BIRMINGHAM, AL 35243

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: _____

THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC.
UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF BASELINE SURVEYING & DESIGN, LLC.
2004 Yarrowhough Drive, Ste A
Opelika, Alabama 36801
Phone: (256) 749-9200
Web: www.baseline-surveying.com



LEGACY VILLAGE TOWNHOMES
PHASE 4
SEC. 13
T. 19 N
R. 26 E
OPELIKA, LEE COUNTY, ALABAMA
SCALE: 1"= 40'
JUNE 14, 2022
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

#2984

AGENDA ITEM #

7



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

PC DEADLINE: _____ PC MEETING: July 26thSITE ADDRESS: 2417 Frederick Road Unit 1 Opelika, AL 36801PROPERTY OWNER: Stara Group, LLCAPPLICANT/ AUTHORIZED REPRESENTATIVE: Edward L. Pettigrew Sr.MAILING ADDRESS: 1803 Cambay Court Opelika, AL 36801PHONE NUMBER: 706-326-9762FAX NUMBER: N/AEMAIL ADDRESS: edward.pettigrew@yahoo.com / cheno39scustomcreations@yahoo.com

PARCEL INFORMATION

Project name: Cheno's Custom Creations Address/Location: 2417 Frederick RoadCurrent Land Use: Office / warehouses Current Zoning: C2Adjacent Zoning Districts: North: C2 South: C2 East: C2 West: C2Description of Proposed Use: General Service & Retail

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____

Date: 7/5/22

STATE OF ALABAMA,

COUNTY OF LEE

I, Amy Smith, a Notary Public in and for said County and State, hereby certify that Edward L. Pettigrew Sr., 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 5th day of July 2022,

Notary Public, Alabama State At Large

Notary Public

My Commission Expires June 17, 2024

My Commission Expires: June 17, 2024

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022

Agenda Item #: E-7

Action Requested: Conditional Use – Automobile Accessory Installations

Location of Property: 2417 Frederick Road, Unit 4 & 5)

Property Owner: Starr Group, LLC (Patrick Starr)
Edward Pettigrew, authorized representative

Current Zoning: C-3, GC-P

Existing Land Use: Vacant building

**Surrounding Zoning Districts
And Land Uses:**

North	C-2, GC-P	Commercial (formerly TPE Lawn Mowers)
South	C-2	Undeveloped
East	C-2, GC-P	Undeveloped
West	C-2, GC-P	Undeveloped

Proposal

The applicant is requesting conditional use approval for an auto accessory shop called Cheno's Creations. The proposed business is addressed at 2417 Frederick Road, but the business does not front along Frederick Road. The former TPE lawn mower business fronts on Frederick Road; the accessory business is in the rear yard area behind the former TPE business about 250 feet from Frederick Road. The accessory shop will occupy a 1,200-sf tenant space that accesses Frederick Road from a private driveway; the driveway is for the property owner's business (Patrick Starr, Needmore Trucking Company,). For the most part the business cannot be seen from Frederick Road. (See aerial photo on last page.)

The auto accessory shop customizes vehicles as requested by the vehicle owner; installations include audio systems, custom built speaker boxes, security cameras, LED trim lighting, and sticker decals. Installations are by appointment only. The business is open 6 days a week. The business owner does all installations, no employees. The business does not provide auto repair or maintenance. The washing and detailing of vehicles will not be provided. The owner will retail sale auto accessories that include speakers, amplifiers, wires, RCA connectors, and LED lighting.

The proposed business will occupy two tenant units (1,200 sf) with two roll-up doors (see photos in packet) and may expand to three units (1,688 sf,) with three roll-up doors if business is successful. All installations of automobile accessories and testing of audio equipment will be accomplished inside the building not outside. The applicant is sensitive not to disturb adjacent properties and motorists. An adjacent 1,614 sf building near the applicant's building is used by the property owner for storage.

The site plan provides 4 parking spaces outside including one handicap parking space. Also, two vehicles will park inside the building for installations. Staff believes parking is adequate; the business is a specialty shop providing custom installations as requested by customer and installations are by appointment only. The property was first developed in the 1990s; the landscaping shown on the site plan was installed when the building was constructed.

City garbage services will be used, no dumpster.

Recommendation

Staff recommends approval subject to the following

1. Audio testing must be performed inside the building. Any outside audio testing must be limited.
2. All storage of equipment, products, or discarded/scraped parts or material must be inside the building or trash container not outside.
3. If vehicle washing is proposed, then a drainage system to collect the wastewater must be installed and connected to the sanitary sewer system as approved by the applicable departments.



Engineering Department Report

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

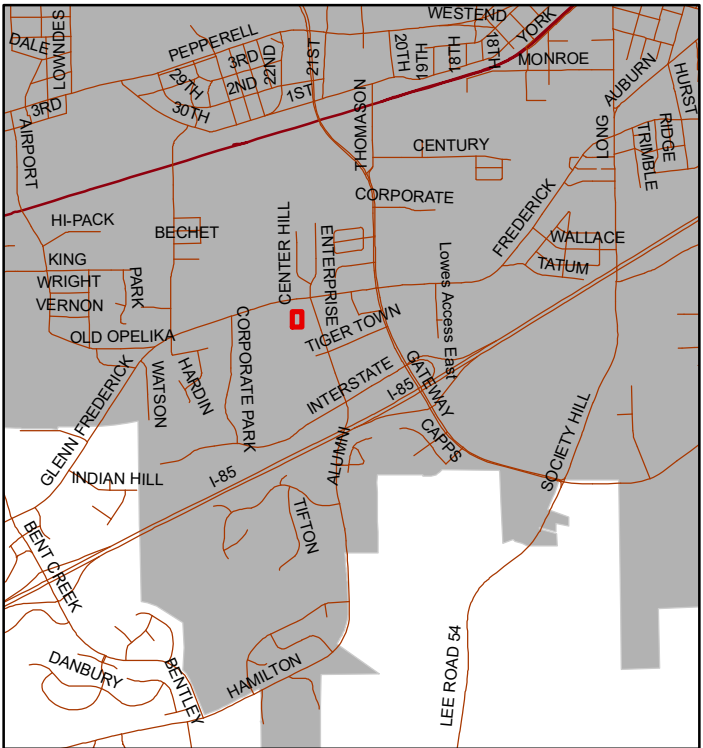
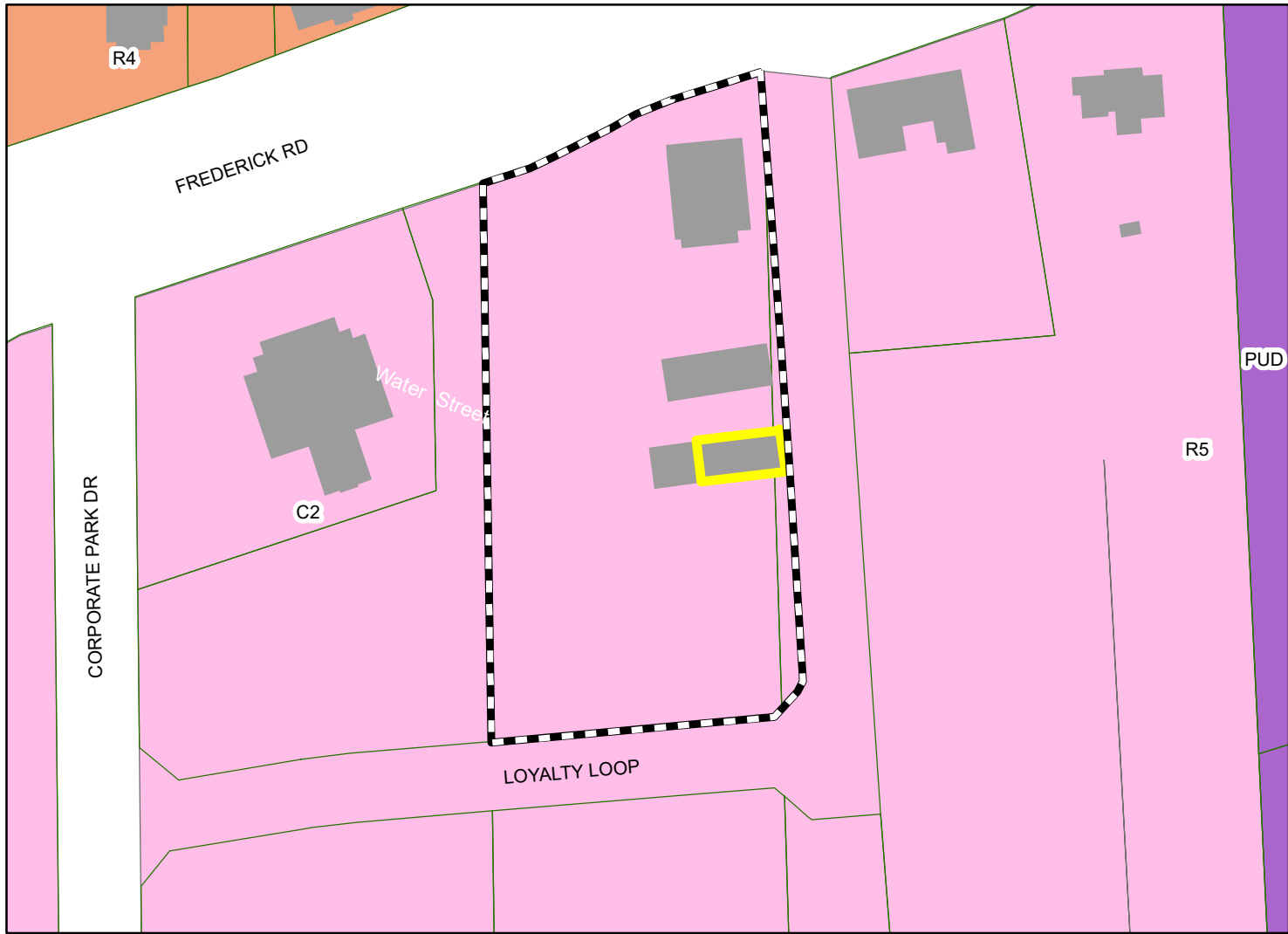
Opelika Utilities Board Report

Water service is accessible from Starr Street.

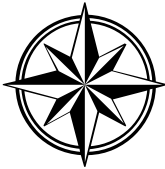
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

PETTIGREW'S VEHICLE CUSTOM ACCESSORY SHOP
2417 FREDERICK ROAD, UNIT 4 AND 5
CONDONAL USE, E-7



The applicant is requesting final approval for 20 townhome lots. This Phase 4 is the last phase of a 55 lot townhome development.



Subject Property

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

FREDERICK ROAD

ADDITIONAL PARKING PROVIDED
FOR EXISTING BUILDING

EXISTING BUILDING TO REMAIN

WILLOW OAK
PARKING LOT HAS BEEN MOVED
TO ACCOMMODATE FUTURE 14'
WIDENING OF THE ROAD.

WILLOW OAK

~~CRIME WITNESS~~

4031

WILLOW OAK 3 PARKING SPACES

CRANE MYRTLE(2)

CRAPE MYRTLE (2)

N71°25'E
265.0'

Asst. Dir.
& Partners

6 PARKING
SPACES

Metal/Masonry
Small Engine &
Lawn Equipment
Repair
Building
3043 S.F.

Private Driveway

CRAPE MYRTLE(2)T

4 PARKING SPACES
PROVIDED BASED ON
WAREHOUSE OCCUPANCY
10'X18' SPACES

...DING
...NL USE. —
...SQUARE FEET.

BE BRICK
ND EAST SIDE AND
REAR AND WEST SIDE.

ANY MATERIALS

20.01'
2 SPACES

OVERCUP DANK

8 PARKING SPACES

CRAPPE WHITLEY

OVERCLIP CAN

SECRET

CRAPT MYRTLE(2)

CRAPPE MYRTLE(2)

RETAINING WALL
CONCRETE

8 PARKING SPACES

WAREHOUSE
1514 S.F.

2 PARKING SPACES

PAVED DRIVEWAY

Commercial
1628 S.F.

2 PARKING SPACES

EXISTING BUILDINGS
ENCLOSED AND BRICK ADDED TO
FRONT AND VISIBLE SIDES
ROLL-UP DOORS ADDED AND
PLUMBING PROVIDED FOR EACH
BUILDING.

GRAPE MYRTLE(2)

LORLOY PINE (22' AROUND SIDE & REAR)

GRAPE MYRTLE (3 AROUND SIDE & REAR)

United Block
Cone. Block
Building
100 S. 2nd



2417

2417

WARNING
Security of the
Contents is Not
Guaranteed

AUTHORIZED
PERSONNEL ONLY







REZONING APPLICATION
 PLANNING DEPARTMENT
 700 FOX TRAIL
 OPELIKA, AL 36801

2985



PC DEADLINE: 7/5/2022 PC MEETING: 7/26/2022

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

PARCEL INFORMATION

Site Address: Sportsplex Parkway (0.5 miles East of Andrews Road)

Description of proposed use: Single-family Residential

Tax Parcel Number: 43-03-08-33-0-000-001.000

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

Current Land Use: Vacant

Current Zoning: R-3

Proposed Zoning: PUD

Number of APO: 20 x \$7.00 = \$ 140.00
 (Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$265.00

PAID: _____

I hereby request my property located at (street address) Sportsplex Parkway,
 Tax Map parcel number 43-03-08-33-0-000-001.000 be rezoned from
R-3 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:

Blake Rice

06/30/2022

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

DATE

City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	July 26, 2022		
Agenda Item #:	F-8a & F-8b		
Action Requested:	Amendment to the Future Land Use Map and Rezoning - 154 acres Amendment- from Low Density Residential to Planned Unit Development land use category, Rezoning - from R-3 to PUD		
Location of Property:	North side of Sportplex Parkway		
Property Owner:	280 Land Company, LLC., Blake Rice, Barrett-Simpson, Inc.		
Current Zoning:	R-3		
Proposed Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	R-3	Vacant
	South	PUD	Residential
	East	C-2 (GC-P)/R-1	Vacant
	West	R-1	Undeveloped/Single family residential

Amendment to the Future Land Use Map

The 2030 Future Land Use Map shows that the 154 acre property as “low density residential” land use category. The properties surrounding the subject property are also designated as low density residential. The Sportsplex has an institutional designation. Most of the properties directly adjacent to this property or either vacant or have low density residential land uses. Overall, the proposed uses within the masterplan of the PUD would fall within the low density residential. The units are smaller than typically found in a zoning designation for low density residential, but the substantial open space and buffering should mitigate this factor. The overall density for the planned development is 1.54 units per acre

which is consistent with low density residential. The planned development provides the opportunity to utilize less overall development and preservation of open space

Staff Recommendation

Staff recommends approval of an amendment to the Future Land Use map for the 154 acres from a “low density residential” land use category to a planned unit development land use category so the property is consistent with the goals and purposes of the Comprehensive Plan and the surrounding properties.

Rezoning

The applicant is requesting rezoning 154 acres from an R-3 (residential) zoning district to a planned unit development (PUD) zoning district. The overall development is proposing 241 residential lots. The project also shows 52.4 acres (33%) of open space and an amenity area. The overall density is approximately 1.54 units per acre. The property is bound by a series of streams and flood plain to the north.

This includes 98 lots shown as 90-foot wide and 143 lots that are 60-foot wide. The 60-foot-wide lots would be approximately 7,500 square feet. The 90-foot-wide lots would be 13,500 square feet. The setbacks for the lots are the following:

Front:	20 feet
Rear:	25 feet
Sides:	7 feet
Side on Street:	15 feet

This property shows 25-foot undisturbed buffers on all sides adjoining the residential property. To the north, the creeks and flood plain add a much larger buffer.

The property is currently accessed through two connections to Sportsplex Parkway. The property does adjoin a significant amount of undeveloped land. To the west, staff recommends connectivity to Lowe property. Staff would like to see some connection to the east as well, but this property is adjacent to more commercial zoned property along Sportsplex Parkway and fragmented property owners further north. The creek and flood plain provide substantial environmental concerns that likely prohibit connectivity to the property owners adjacent land.

The applicant has noted that Hidden Lakes North will have its own amenities but have not noted what those amenities would be. They also note that the residents will share amenities with the residents of Hidden Lakes across Sportsplex Parkway. Based on the proximity of the development to the City of Opelika Sportsplex, staff believes that the addition of walking trails through the open space could provide connectivity to the residents and increase the amount of public walking areas connected to the Sportsplex. This could be accommodated through the existing sanitary sewer easement. Sidewalks should be placed so that they connect the open space to the residential areas. Sidewalks are required on both sides of the street.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from R-3 to PUD subject to the following:

- 1. Work with City staff to examine pedestrian access and determine if there is any ability partner with the City in development of a walking trail through the open space on or near the sanitary sewer easement.**

Engineering Department Report

The Engineering Department has no concerns with this rezoning recommends approval.

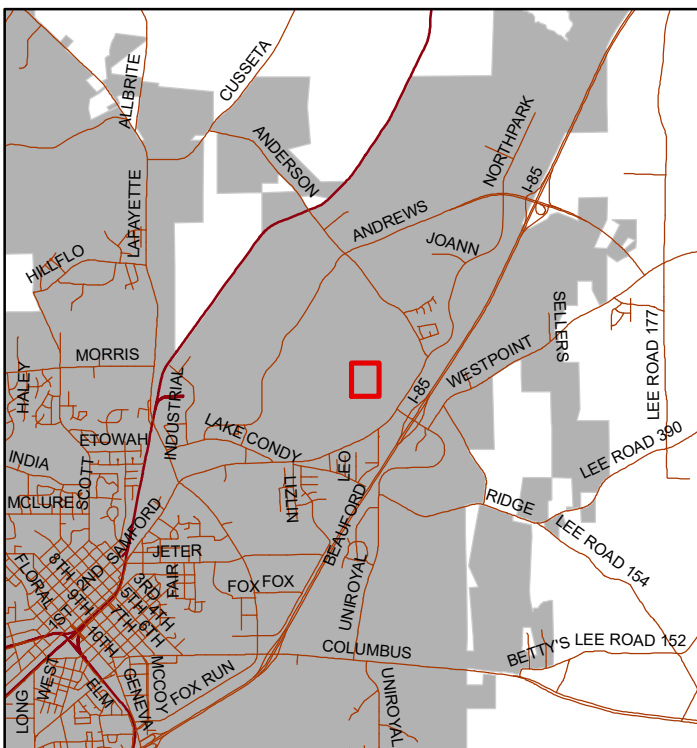
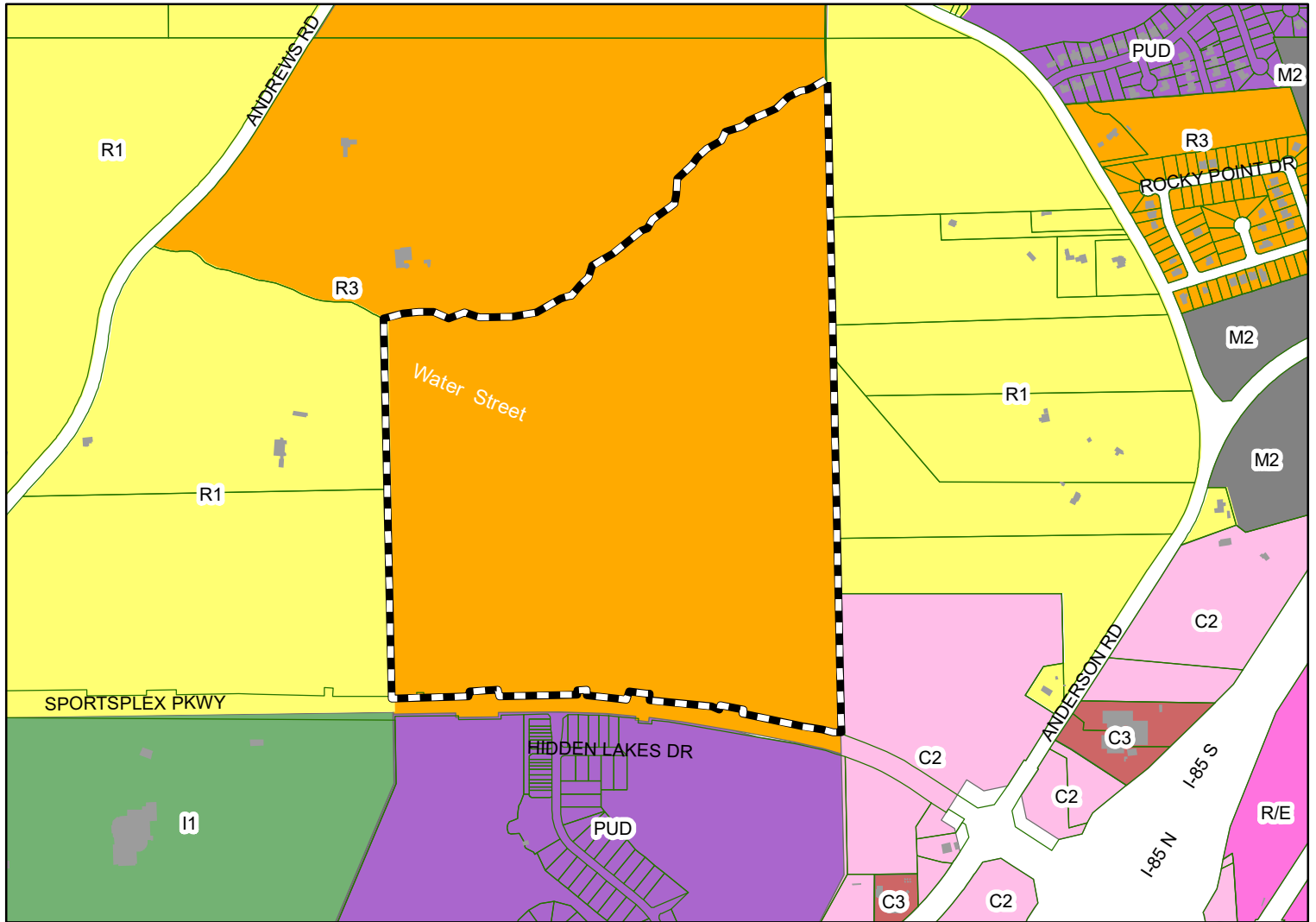
Opelika Utilities Board Report

Water service is not accessible from Sportsplex Parkway at this time.

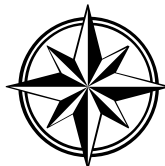
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

HIDDEN LAKES NORTH REZONING SPORTPLEX PARKWAY R-3 TO PUD, F-8

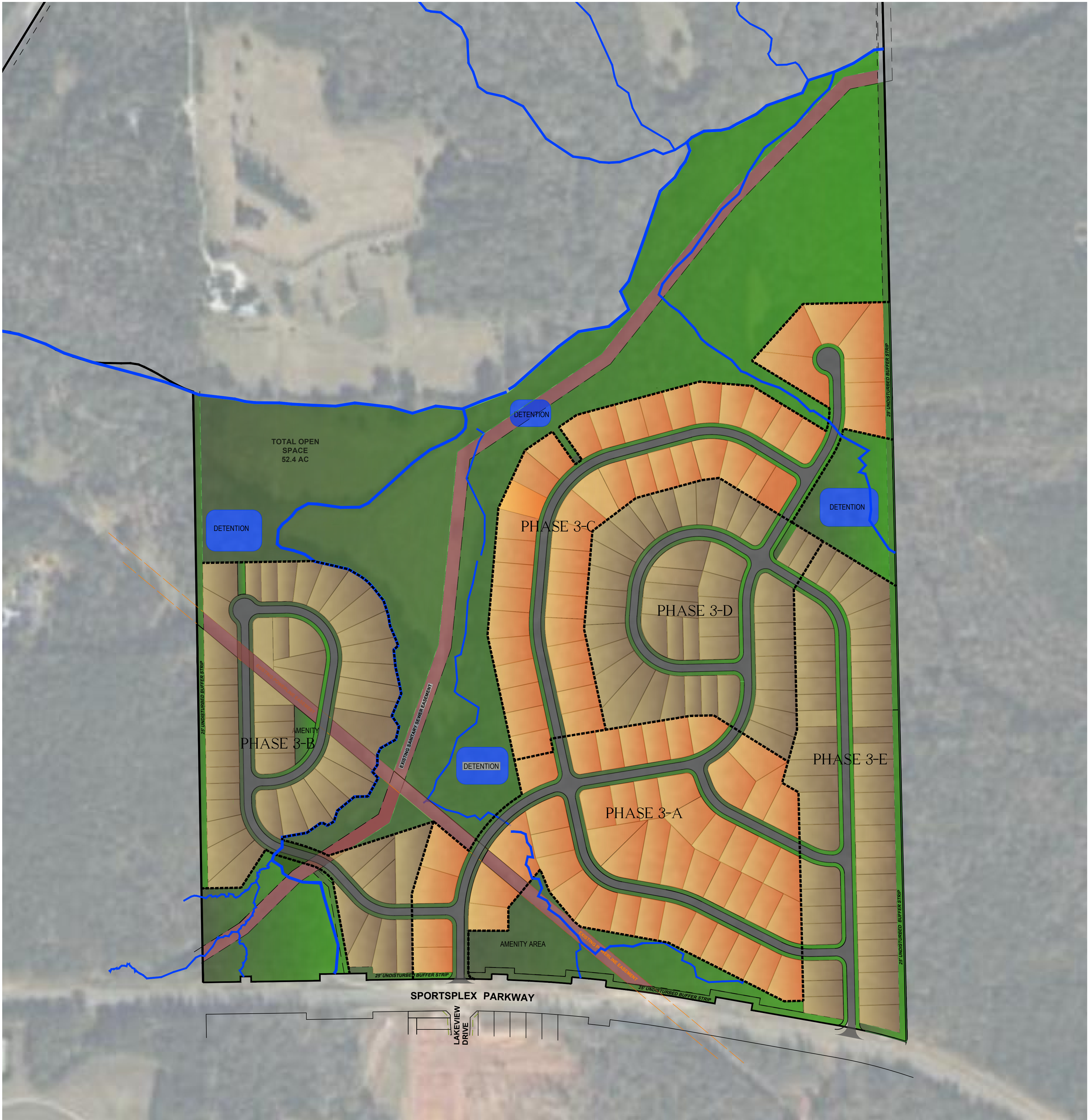


The applicant is requesting to rezone 154 acres for single family homes. Lot width ranges from 60 feet to 90 feet. 52.4 acres is open space.



Subject Property

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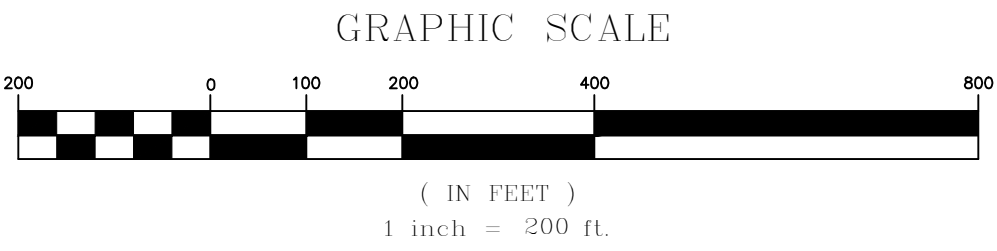
NOTE:
This drawing represents a conceptual plan for the development of the subject property. There may be factors that could affect the development, use and/or yield of the property which would only be disclosed by a thorough site assessment, including survey, topographic survey, environmental assessment, wetlands delineation and utility availability, which may have not been performed for the purpose of this conceptual plan. There is no assurance by Barrett-Simpson, Inc. that the property can be developed according to this plan, or a reasonable cost.



DEVELOPMENT DATA:

PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
CURRENT ZONING:	R-3
REQUIRED ZONING:	PUD
TOTAL LENGTH OF NEW STREETS PROPOSED:	13,560 LF±
TOTAL NUMBER OF BUILDING LOTS PROPOSED:	241
TOTAL OPEN SPACE:	52.4 ACRES ±
PHASE 3-A:	
AREA:	23.4 ACRES±
90'± WIDE BUILDING LOTS PROPOSED:	49
PHASE 3-B:	
AREA:	20.6 ACRES±
60'± WIDE BUILDING LOTS PROPOSED:	48
PHASE 3-C:	
AREA:	21.2 ACRES±
90'± WIDE BUILDING LOTS PROPOSED:	49
PHASE 3-D:	
AREA:	15.5 ACRES±
60'± WIDE BUILDING LOTS PROPOSED:	45
PHASE 3-E:	
AREA:	21.0 ACRES±
60'± WIDE BUILDING LOTS PROPOSED:	50

- TYPICAL 60' LOT
 TYPICAL 90' LOT



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



- 705 12th ST. PERRY CITY, AL 36868 (PH: 334-297-2423)
223 S. 8th ST. OPELIKA, AL 36861 (PH: 334-334-1639)
1721 W. BROAD ST. EUFALUA, AL 36072 (PH: 334-687-4257)

HIDDEN LAKES NORTH

A PROPOSED SUBDIVISION OF THE LANDS OF
280 LAND COMPANY, LLC
LOCATED ON SECTION 33, TOWNSHIP 20 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

MASTER PLAN

DRAWN BY: BS
DESIGNED BY: BS
REVIEWED BY: BS
APPROVED BY: BS

DATE: 30 JUNE 2022

PROJECT NUMBER: 21-0036

SHEET NUMBER

C1

HIDDEN LAKES NORTH



June 30, 2022

Master Development Plan Narrative



BARRETT-SIMPSON, INC.

Civil Engineers & Land Surveyors

PHENIX CITY • EUFAULA • OPELIKA

Hidden Lakes North

MASTER DEVELOPMENT PLAN NARRATIVE



INTRODUCTION

Hidden Lakes North Subdivision is envisioned to be master planned development, consisting of two hundred forty-one (241) single-family lots, open space areas, amenity areas and on-site detention. The approximately one hundred sixty (160) acre development will be professionally planned and developed as a Planned Unit Development (PUD), with careful attention paid to protection of the natural environment. The development will offer varied home sizes and housing types to meet the needs of as many prospective home owners as possible.

Barrett-Simpson, Inc., the Applicant, on behalf of the Owner, 280 Land Company, LLC, respectfully requests that the Opelika Planning Commission rezone the proposed Hidden Lakes North Subdivision to a PUD. Currently, the subject property is zoned R-3. The proposed PUD will allow for a mix of low to medium density single-family residential uses.

The following narrative outlines important aspects of the development requesting a PUD.

1

Location

The Property for the proposed Hidden Lakes North Subdivision is located within the City of Opelika, along Sportsplex Parkway. It is located directly across Sportsplex Parkway from the existing Hidden Lakes Subdivision. The Development will be accessed from two entrances, both located on Sportsplex Parkway.



2

Concept

Hidden Lakes North Subdivision has been master planned to be consistent with the general development of the existing Hidden Lakes Subdivision, located on the southern side of Sportsplex Parkway, and bounded on the south by West Point Parkway. The proposed PUD shows a projected density of less than two (2) units per acre.

While Hidden Lakes North will have amenities on site, this development will also share amenities and the Homeowners Association (HOA) with Hidden Lakes Subdivision, to offer more options and amenities to the residents of both neighborhoods. The existing HOA will be responsible for property maintenance of all common areas and amenities. Architectural guidelines, building regulations and use restrictions will be governed by Covenants, Conditions and Restrictions, as well as the established Home Owners Association.



3

Site Details

The Property encompasses approximately 160 acres, and is bordered by an existing stream on the north side. Sportsplex Parkway is the southern boundary of the property. Given the size of

the development, infrastructure construction may be divided into phases, resulting in an inventory of residential lots becoming available as market conditions allow.

Stormwater detention/retention will be provided onsite, within the development. Open spaces and amenity areas are planned for the development, and will be maintained by the Homeowners Association. The Master Plan for Hidden Lakes North Subdivision shows approximately 50 acres of gross open space, which accounts for approximately 30% of the total project area.

The development will make use of the natural topography during construction and when possible, natural tree lines will be preserved between phases of development, in open space areas and along the northern creek boundary and internally along any existing stream areas. The impacts to the existing streams and wetlands will be minimized, and all streams will be protected by the required stream buffers.



4

Setbacks and Buffers

The layout and design Hidden Lakes North subdivision, as shown on the proposed Master Plan, will comply with all setback regulations in place by the City of Opelika. Setbacks for the development are proposed to be a minimum of 25' from all property lines, by use of an undisturbed buffer strip. For the residential lots, the setbacks shall be a minimum of 20' from the front property line, minimum of 7' from each side property line, and a minimum of 25' from the

rear property line. For lots that have access to two streets, a minimum setback of 15' from the side street property line will be required.

5

Utilities

Hidden Lakes North Subdivision will be served by the City of Opelika for sanitary sewer service and Opelika Utilities for water service. Power and communication services will be provided to the development by Opelika Power Services.

6

Net Impact of Proposed Development

The proposed rezoning of the property from R-3 designation to PUD is necessary to accommodate the proposed housing densities contemplated for the development of Hidden Lakes North Subdivision. The proposed rezoning request does not adversely impact the City of Opelika or its infrastructure in any way. Rather, the rezoning proposed for the development represents a net benefit to the City upon implementation through its completion.

7

Accompanying Exhibits

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

- Adjoining Property Owners Listing
- Overall Master Plan of the Proposed Development
- Authorization to Act as Applicant
- Deed to Subject Property
- Application for PUD Zoning



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

2734

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

PROJECT NAME: Pinehurst Apartments Addition

SITE ADDRESS: 375 West Point Parkway; Opelika, AL

PROPERTY OWNER: Brookhaven Property Group, LLC

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

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

PHONE NUMBER: 334-745-7026

FAX NUMBER: _____

EMAIL ADDRESS: brice@barrett-simpson.com

PARCEL INFORMATION

Current Land Use: Multifamily

Current Zoning: R-4

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

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

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

1. No application for a conditional use permit shall be approved unless the Planning Commission shall specifically find the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria.
2. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
3. There shall be a community need for the proposed use and a need to provide or maintain a proper mix of uses both within Opelika and also within the immediate area of the proposed use: (a) the proposed use shall not result in either a detrimental concentration of a particular use within the City or within the immediate area; and (b) the area for which the use is proposed is not better suited for or likely to be needed for the uses that are permitted as a matter of right within that district, in light of policies or programs of the City of Opelika.
4. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-ways, or other matters affecting the public health, safety, and general welfare, either as they not exist or as they may in the future be developed as a result of the implementation of provisions and 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.

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 26, 2022 (tabled on February 22, 2022 and June 28, 2022)

Agenda Item #: G-9

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

Location of Property: 1500 Pinehurst Drive

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

Current Land Use: Multi-family residential

Current Zoning: R-4

**Surrounding Zoning Districts
And Land Uses:**

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

This item was first tabled at the February 22, 2022 PC meeting. Applicant requesting to table agenda item at the July 28th PC meeting.

Proposal

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

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

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

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

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

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.

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.

Engineering Department Report

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

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

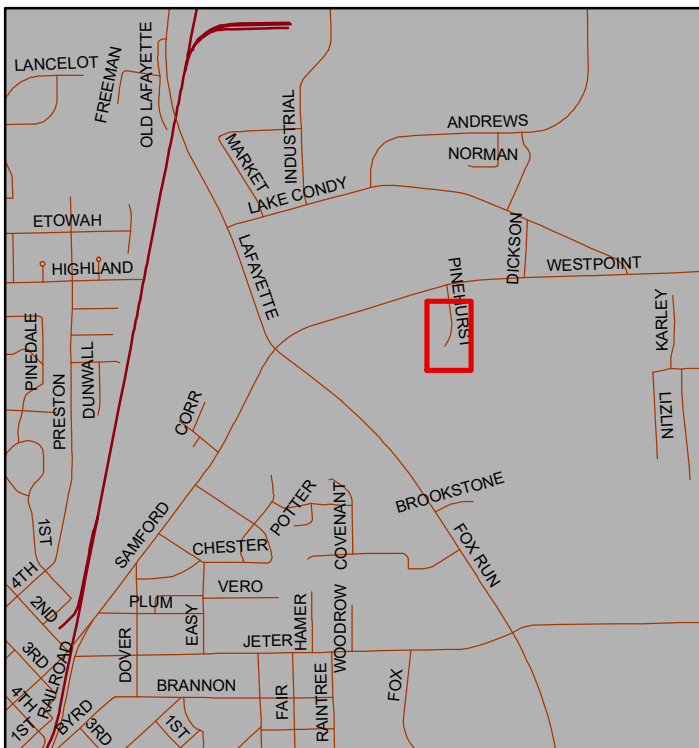
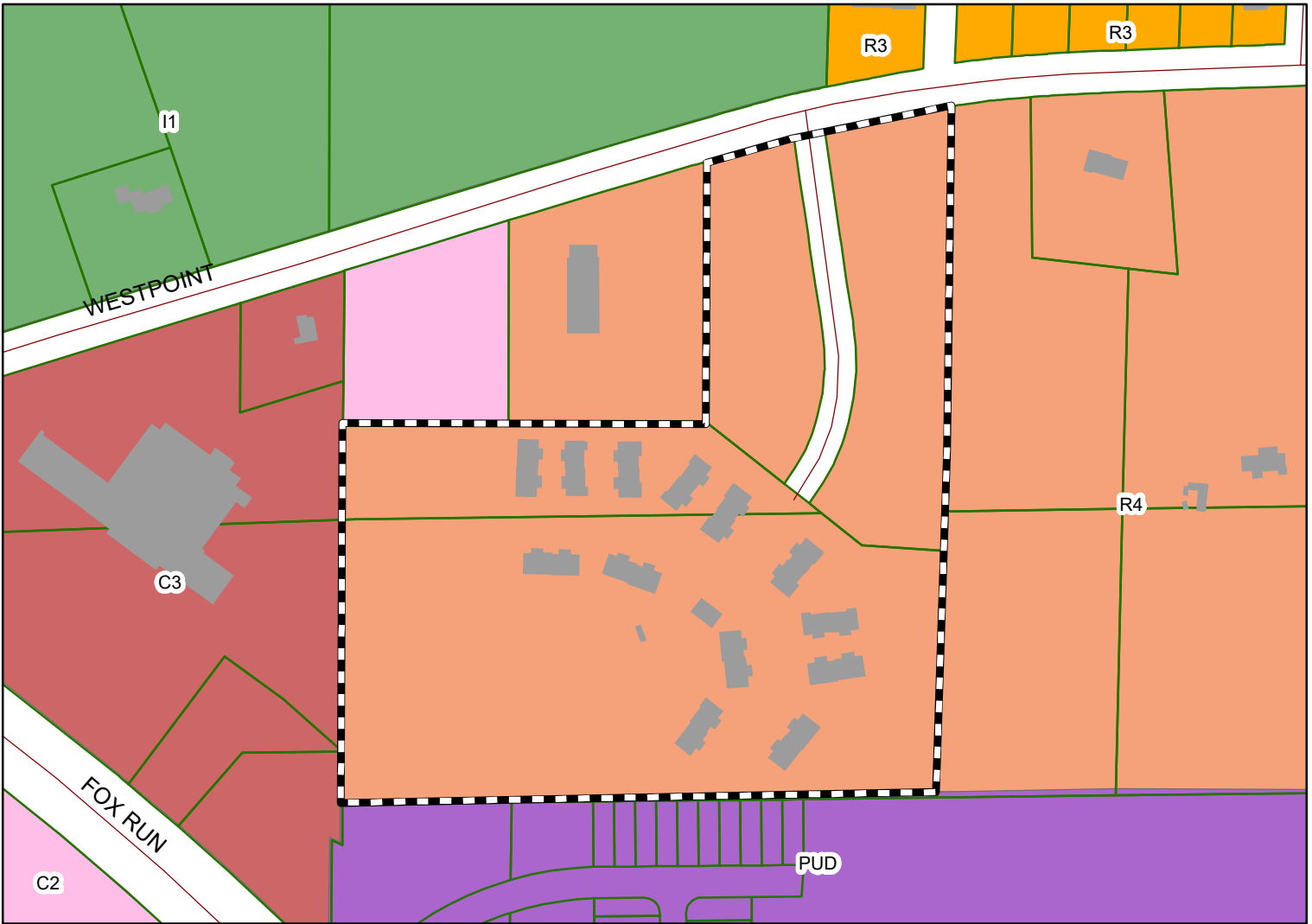
Opelika Utilities Board Report

No report.

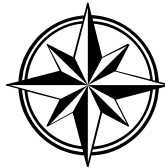
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

PINEHURST APARTMENTS ADDITION WEST POINT PARKWAY CONDITIONAL USE APPROVAL, G-9

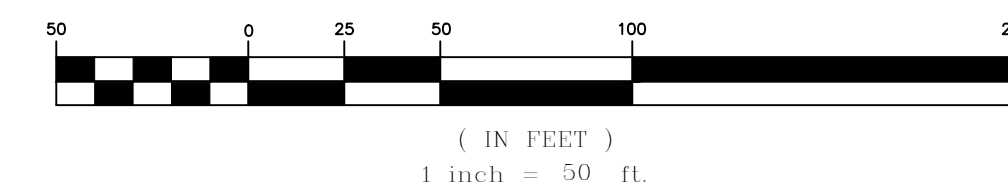


The applicant is requesting to add 36 apartment units to Pinehurst Apartments (104 existing units) constructed in 1995. The property is located in a R-4 zoning district. This agenda item was tabled at the February 27th PC meeting.



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



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



面

PINEURST APARTMENTS
OPELIKA

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Simpson, Inc.

C1

Drawing Name: C:\Users\jengram\Desktop\21-0206 Brookhaven - Pinehurst Apts - Opelia\Drawg2 - Pinehurst Apts - Opelia\Drawg2 - Pinehurst Apts - Opelia.dwg Last Modified: Jan 25, 2022 - 7:53am by jengram

BETTS CROSSING INVESTORS LLC
CORELOGIC COMMERCIAL TAX
SERV P.O. BOX 9222
COPPEL TX, 750199240

NEWTON KAY C
P.O. BOX 680176
P.P. PRATTVILLE AL,
36068

HAMPTON JAMES O & KUMSUK
145 LEE ROAD 0581
SMITHS STATION AL, 36877

SUMMIT ASSET MANAGEMENT LLC
CO MARVIN F POER & CO 3520
PIEDMONT ROAD NE
ATLANTA GA, 30305

AVERITT SDG PROPERTIES
P.O. BOX 3166
COOKEVILLE TN, 38502

SUMMIT ASSET MANAGEMENT LLC
CO MARVIN F POER & CO 3520
PIEDMONT ROAD NE
ATLANTA GA, 30305

SUMMIT ASSET MANAGEMENT LLC
CO MARVIN F POER & CO 3520
PIEDMONT ROAD NE
ATLANTA GA, 30305

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

HOLLAND HOMES LLC
P.O. BOX 1467
AUBURN AL, 36850

SITE INFORMATION

TOTAL PROPERTY: 184,651± SF
4 AC

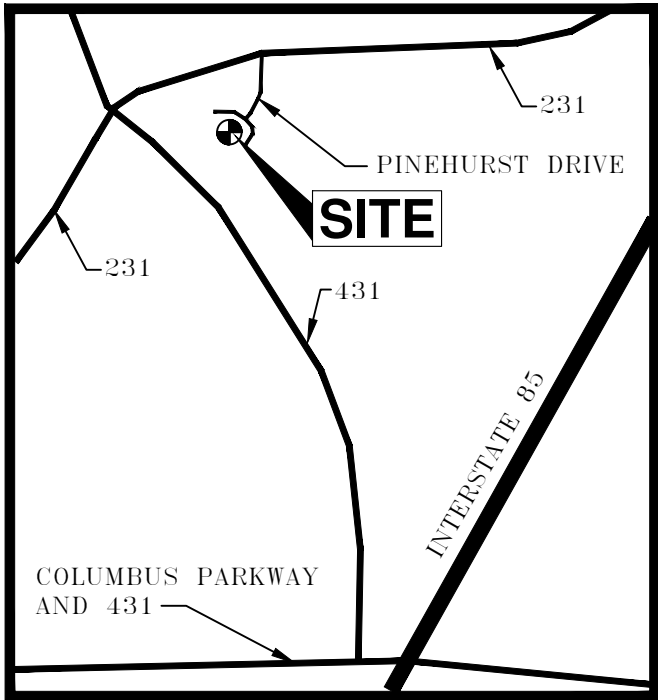
EXISTING ISR: 0.91
PROPOSED ISR: 0.91
PROPOSED USE: MULTI-FAMILY

TOTAL BUILDINGS: 1 OFFICE
13 MULTI-FAMILY
PROPOSED BUILDINGS: 3 MULTI-FAMILY

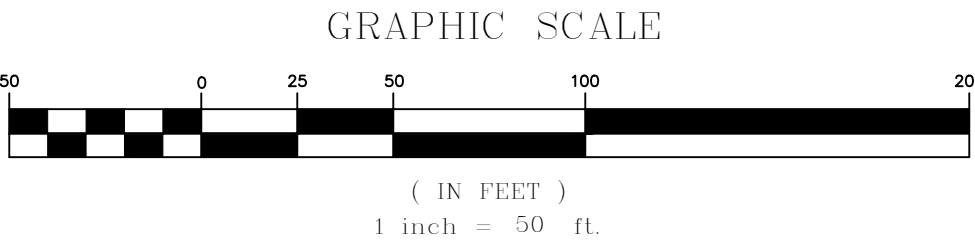
CURRENT ZONING: R-4

SETBACKS:
FRONT 25'
REAR 20'
SIDE 10'

PARKING REQUIRED: 2 SPACES PER UNIT (72)
PARKING BEING REMOVED: 4 SPACES
NEW PARKING PROVIDED: 79 SPACES (2 ADA)



VICINITY MAP
NOT TO SCALE



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



706 12th ST. PHENIX CITY, AL 36860 (PH : 334-297-2423)
223 S. 9th ST. OPELIKA, AL 36801 (PH : 334-745-7026)
121 W. BROAD ST. EUFALA, AL 36072 (PH : 334-487-4257)

BROOKHAVEN

PINEURST APARTMENTS
OPELIKA

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PROPOSED
SITE LAYOUT

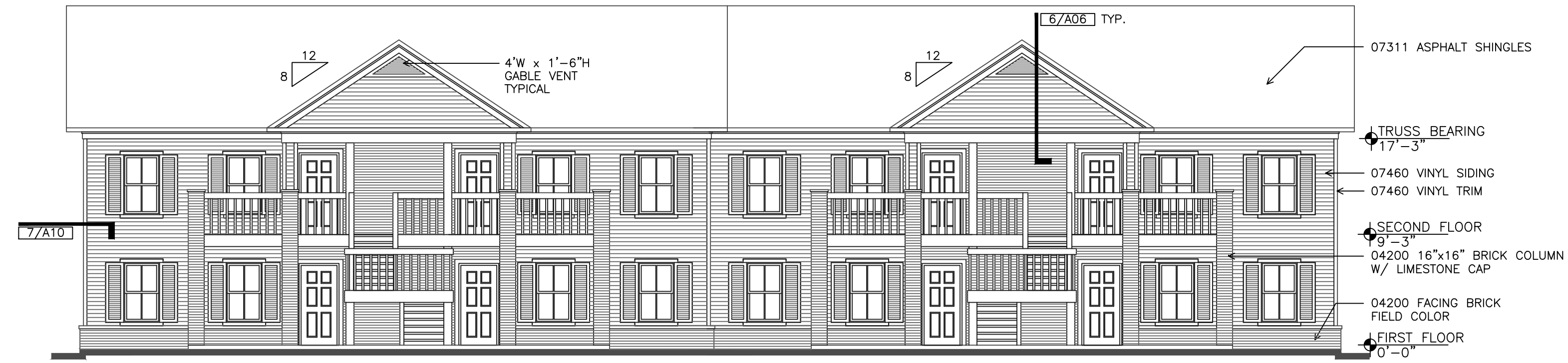
DRAWN BY: BSI
DESIGNED BY: BSI
REVIEWED BY: BSI
APPROVED BY: BSI

DATE 24 JANUARY 2022

PROJECT NUMBER 21-0206

SHEET NUMBER

C1



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



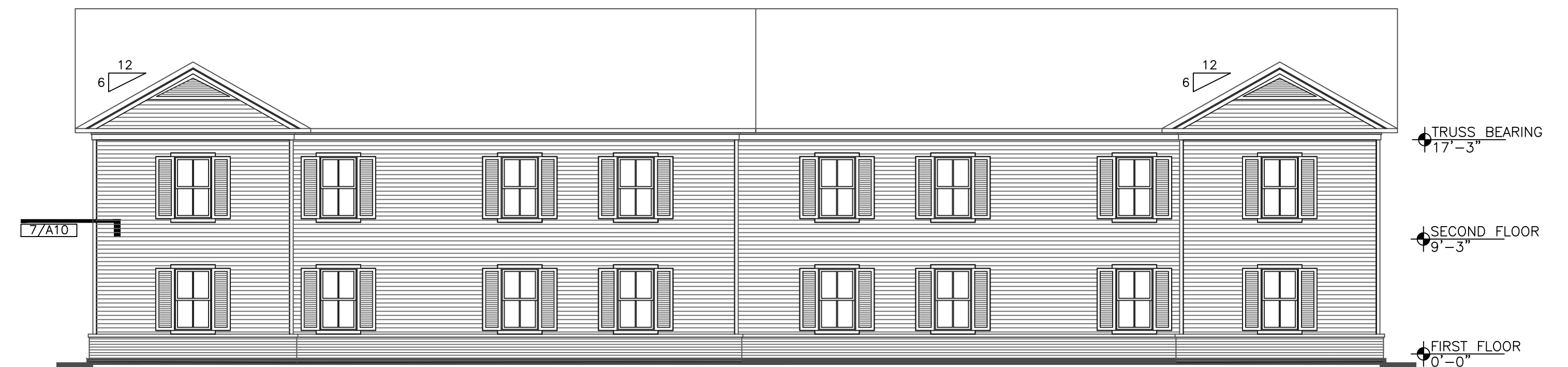
2 SIDE ELEVATION—BUILDING "A2" (SHOWN), TYPE "A1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



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



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



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



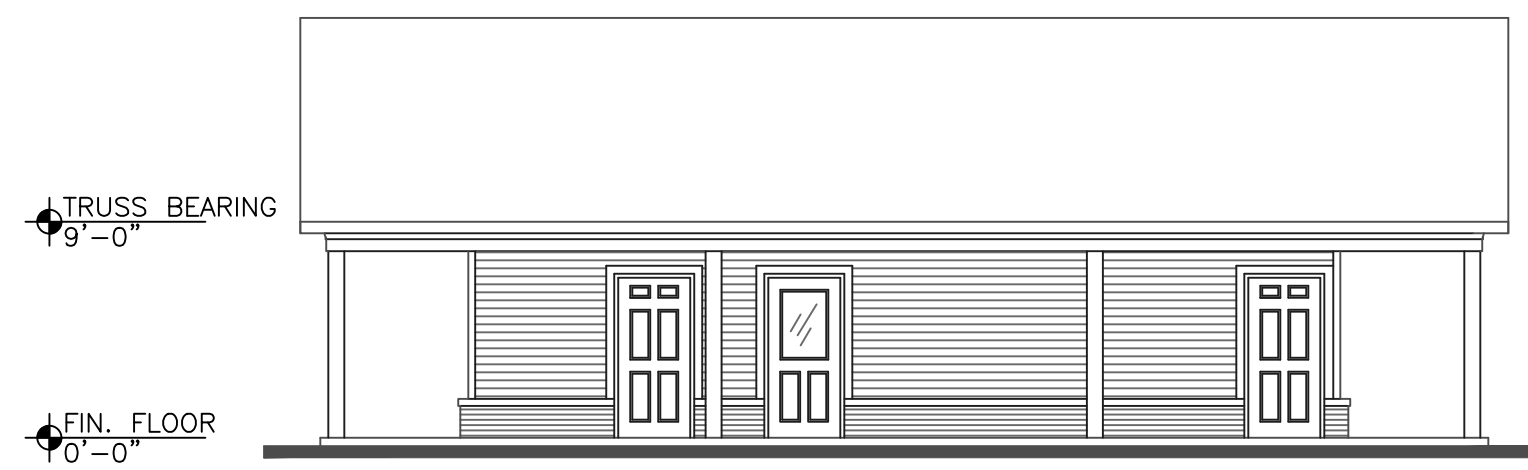
6 SIDE ELEVATION—BUILDING "C2" (SHOWN), TYPE "C1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



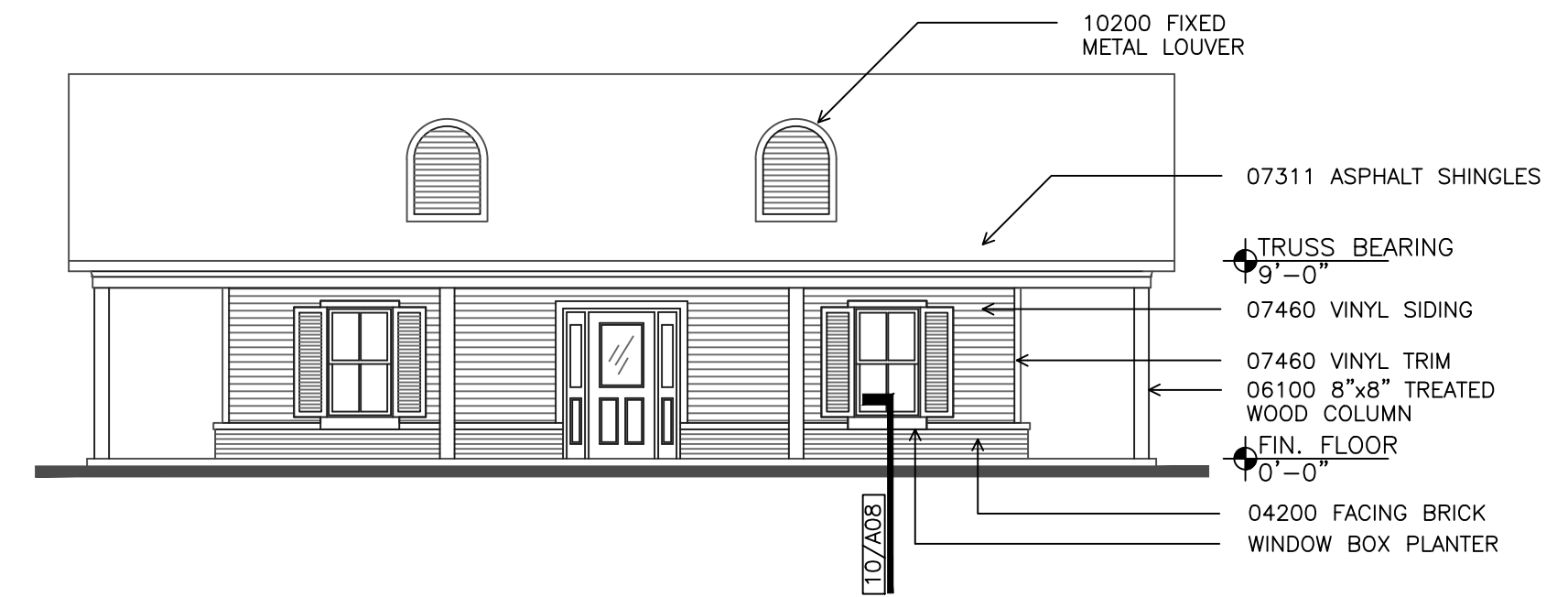
7 REAR ELEVATION BUILDING TYPE "C1" (SHOWN), TYPE "C2" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



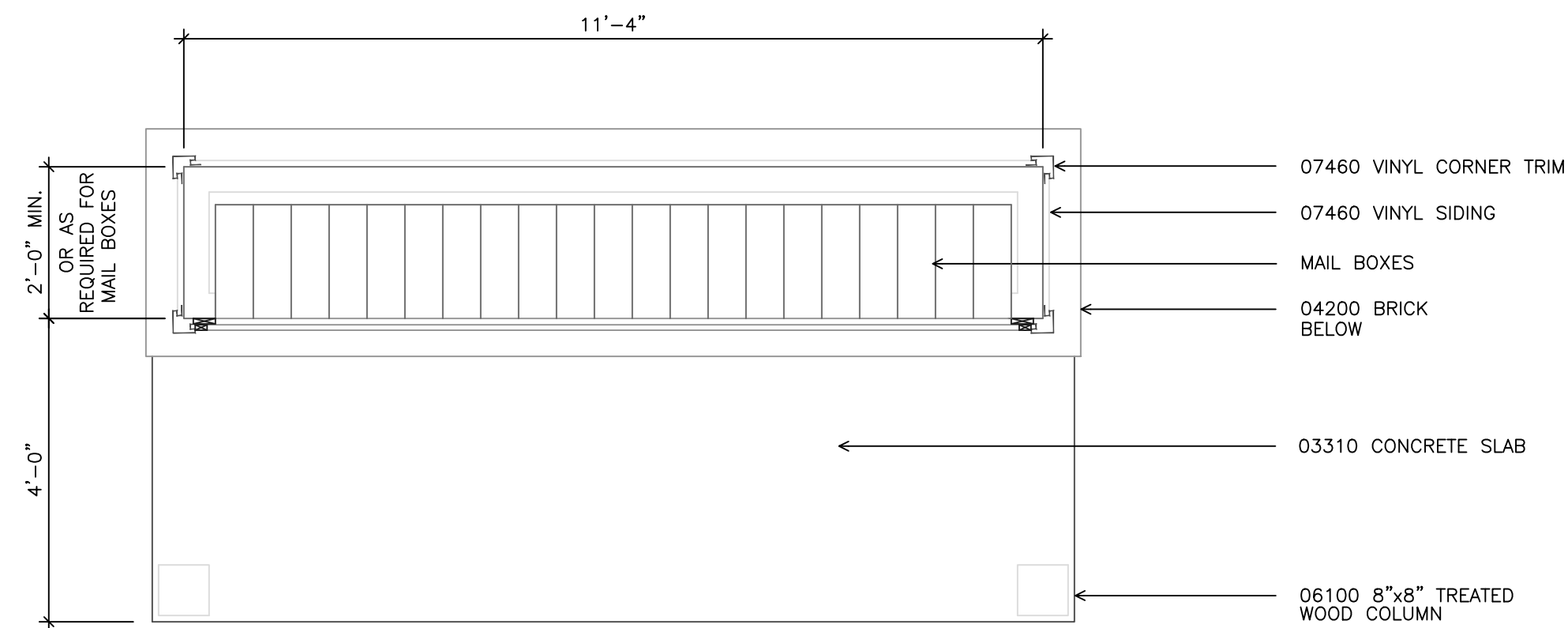
1 CLUBHOUSE SIDE ELEVATION
A08 1/8" = 1'-0"



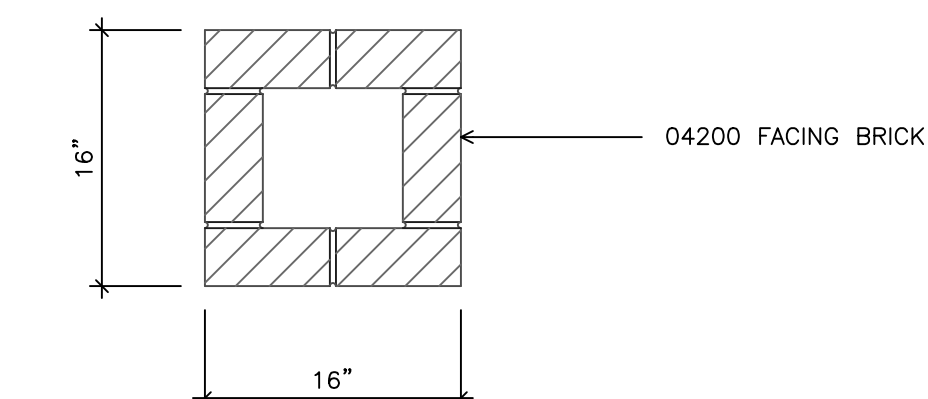
2 CLUBHOUSE REAR ELEVATION
A08 1/8" = 1'-0"



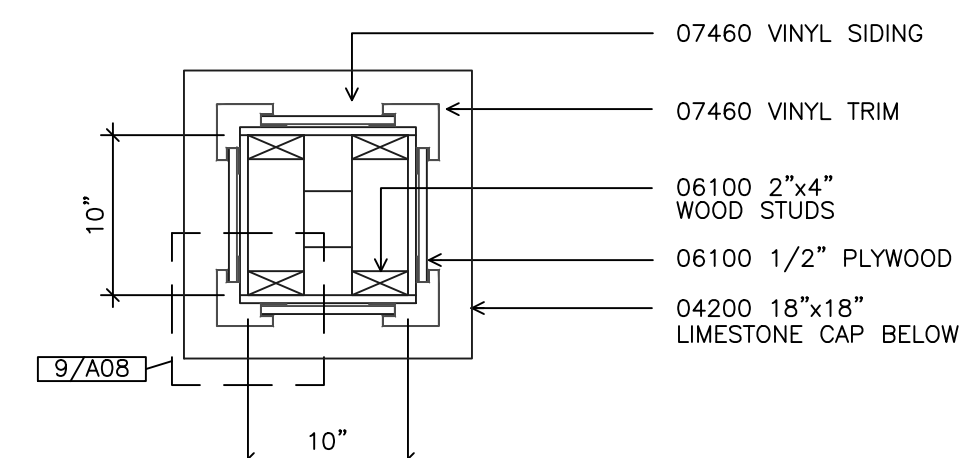
3 CLUBHOUSE FRONT ELEVATION
A08 1/8" = 1'-0"



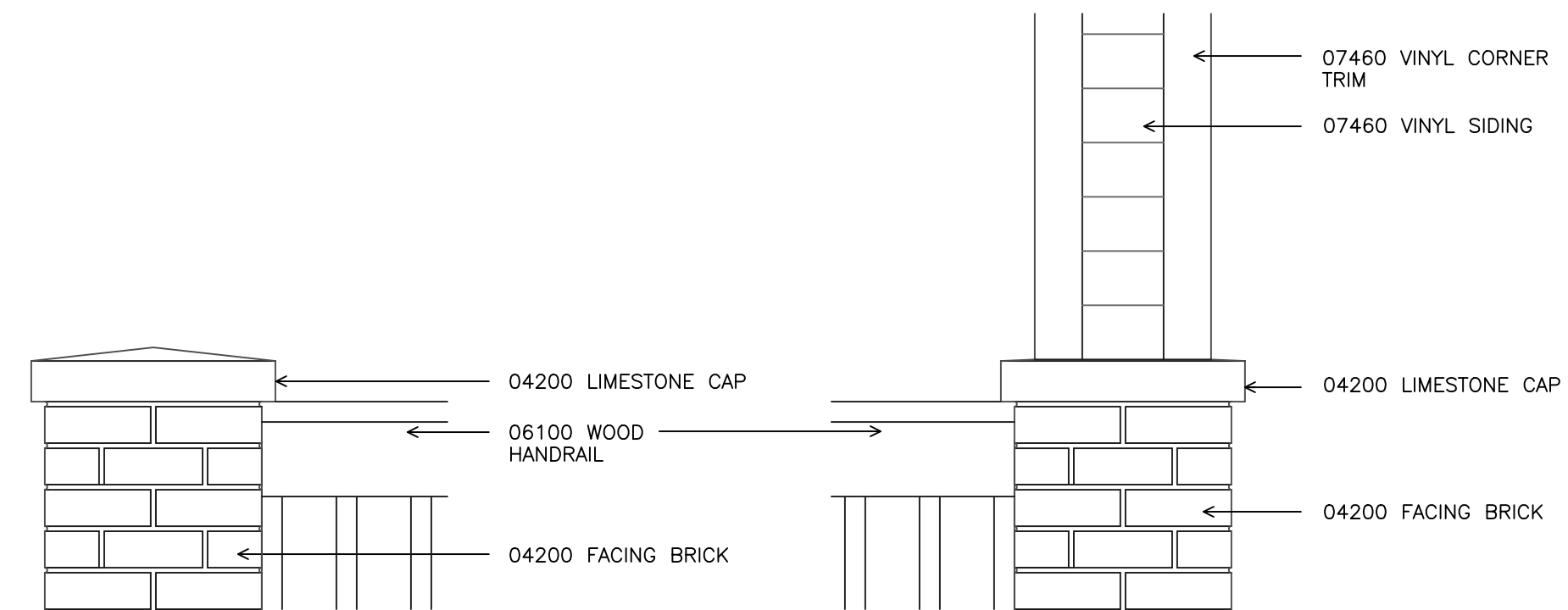
4 MAILBOX KIOSK
A08 1/2" = 1'-0"



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

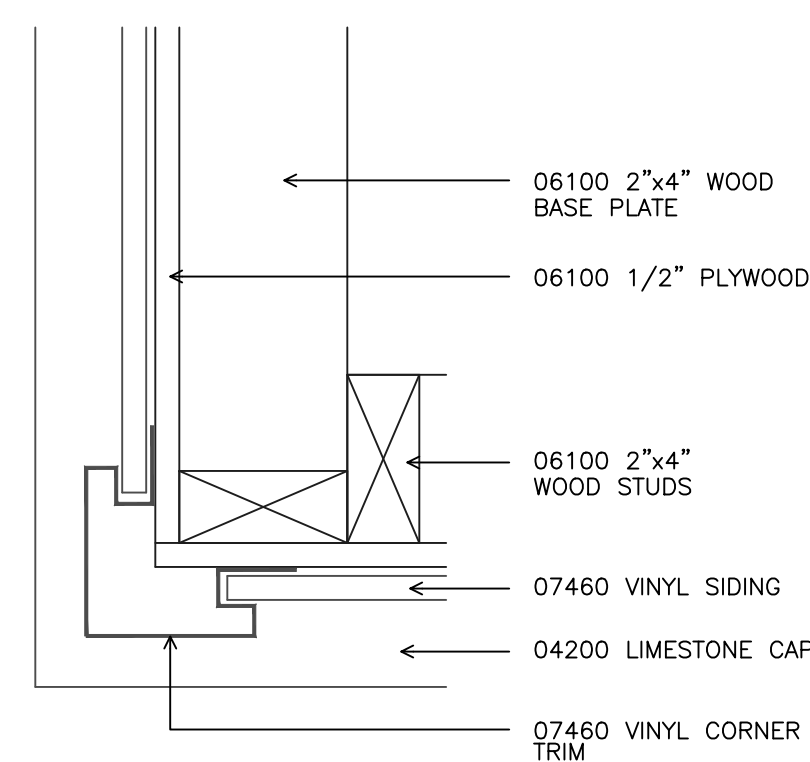
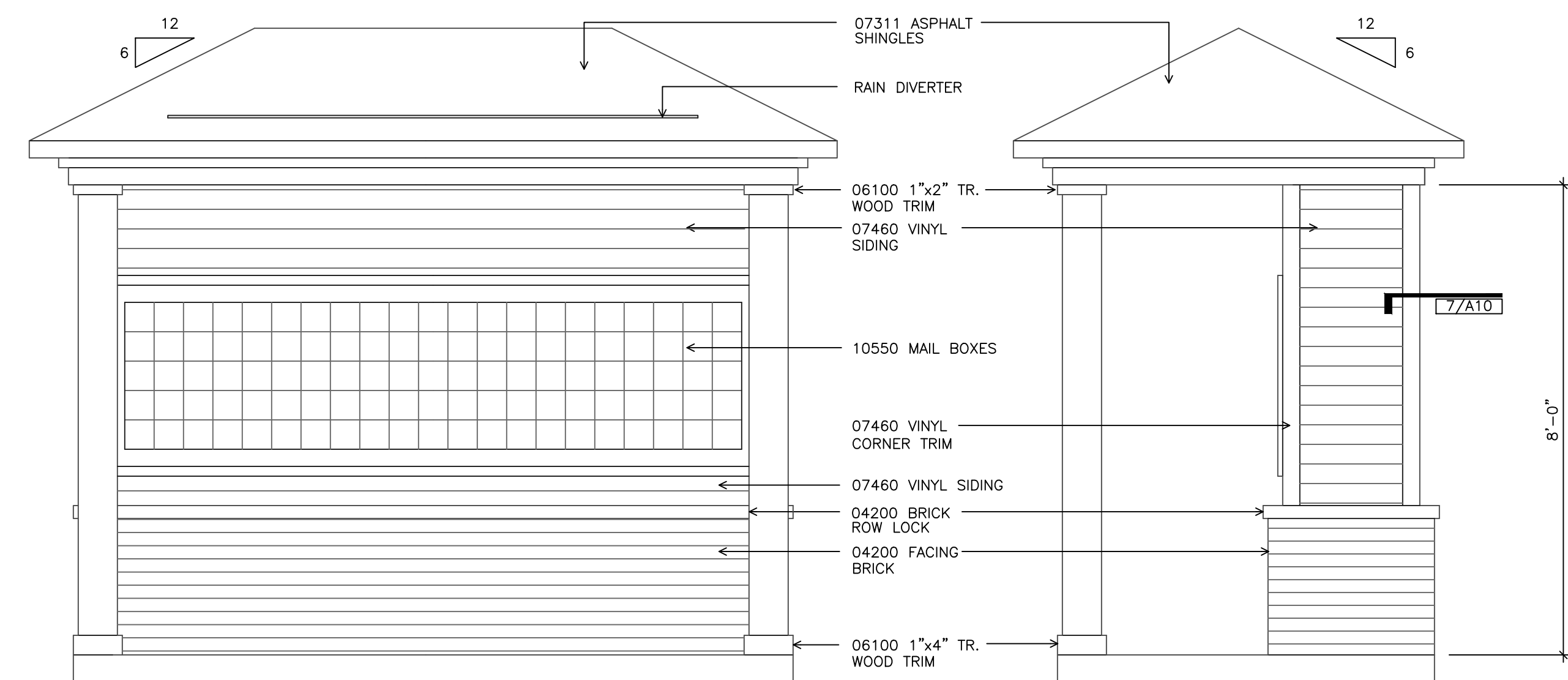


6 BRICK COLUMN PLAN
A08 1" = 1'-0"

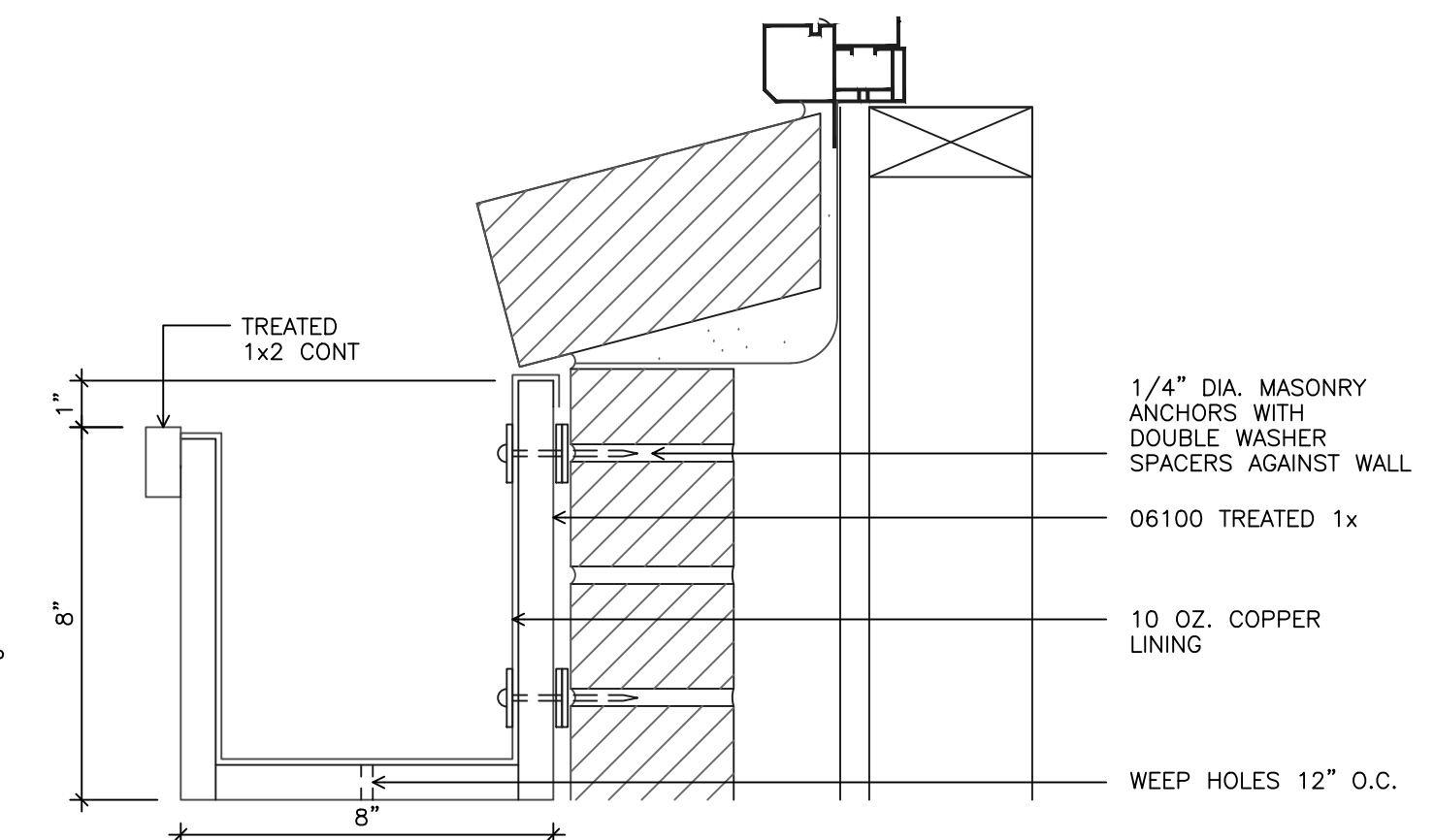


7 BRICK COLUMN ELEVATION
A08 1" = 1'-0"

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



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



9 PLANTER
A10 3" = 1'-0"



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

2932



PC DEADLINE: 6/7/22 PC MEETING: 6/28/22

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

PROPERTY OWNER: MARTIN BURDETTE

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

MAILING ADDRESS: 223 S. 9TH STREET, OPELIKA, AL 36801

PHONE NUMBER: (334) 745-7026

FAX NUMBER: N/A

EMAIL ADDRESS: BRICE@BARRETT-SIMPSON.COM

PARCEL INFORMATION

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

Current Land Use: VACANT

Current Zoning: C 3

Adjacent Zoning Districts: North: C3 South: C2 East: R2 West: C 3

Description of Proposed Use: COMMERCIAL BUSINESS FOR THE SALE AND MAINTENANCE OF ATV'S

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____

Date: 6/06/2022

STATE OF ALABAMA,

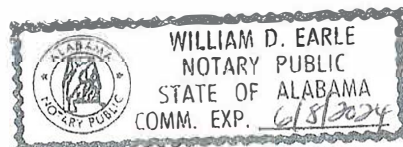
COUNTY OF LEE

I, William D. Earle, a Notary Public in and for said County and State, hereby certify that Guy Martin Burdette, 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 6 day of June, 2022,

William D. Earle
Notary Public

My Commission Expires: 6/5/2024



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: July 28, 2022

Agenda Item #: G-10

Action Requested: Conditional Use – ATVs Sales lot (All -Terrain Vehicles) and Maintenance shop

Location of Property: 4800 Birmingham Hwy (Hwy 280)

Property Owner: Martin Burdette
Blake Rice, authorized representative

Current Zoning: C-3, GC-P

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

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

*This item was tabled at the June 28th PC meeting to allow the applicant to revise elevation plans. The ATV business is in the Gateway Corridor Overlay district located on the corner of Grand National Parkway and Birmingham Highway (Highway 280). Planning staff and Commissioners agreed that the elevations should be revised to include an architectural style decorative material that includes windows, doors, and other improvements. The staff report below is the same as presented at the June 28th PC meeting except for the paragraph about **Elevations** on page 2-3.*

Proposal

The applicant is requesting conditional use approval for an ATV sales lot and maintenance shop called Extreme Power Sports at the corner of Highway 280 and Grand National Parkway.

In 1998, the business owner started his first ATV business in Columbus, Ga. The business added a motorcycle sales lot in Columbus. About a year ago, the business bought the existing ATV sales lot at the corner of Fredrick Road and Frederick Avenue. If the conditional use is approved the Frederick Road location will close and the Highway 280 location constructed. When the business opens 20 employees will manage business activities, a total of 30 employees is expected later.

The site plan shows a 37,600 square foot (sf) showroom building and a 12,000-sf future warehouse building on 4.3 acres. The showroom building will include a maintenance shop. Grand National Parkway is the only access to the property from two driveways about 200 feet apart; there are no driveways to the property from Highway 280. The 99 parking spaces provided includes 4 handicap parking spaces as required.

The landscape plan meets the minimum base and parking lot point requirements - 468 points required and 477 points provided. The parking lot has seven landscape islands or peninsula with at least one tree planted in each island or peninsula as required. Shrubs are required to capacity in each island/peninsula. This corner lot is a growing commercial intersection with traffic light. The landscape plan shows trees along the front property line in most areas along Highway 280 and Grand National Parkway. Staff recommends trees planted along the entire front property line of both streets to enhance the lot and intersection. The buffer of trees and shrubs should extend to the side property lines of each street. The tree type selected (understory, medium, or large tree) should follow the spacing distance options provided in 10.6 D.2. b.¹ of the Landscape Regulations. The adjacent property on the east side across Grand National Parkway is undeveloped and zoned residential (R-3). The trees along Grand National will serve as a residential buffer.

The property meets the maximum 70% impervious surface ratio allowed: 58% or 2.61 acres is impervious; 42% or 1.92 acres is pervious

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

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

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

The revised elevations as submitted today satisfies staff's concerns as provided in the staff report for the June 28th Planning Commission meeting.

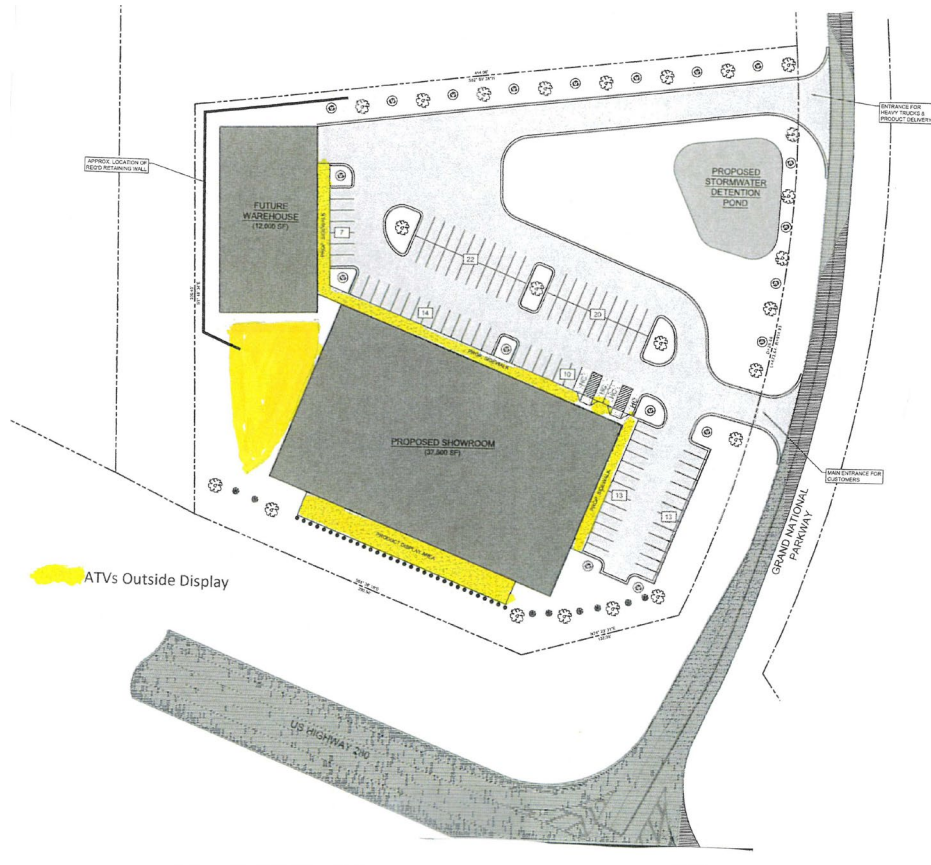
A dumpster area is not shown on site plan. A dumpster will be installed. The dumpster must be enclosed with double gate. The enclosure must be an opaque fence on all sides and an opaque double gate. The dumpster should not be located between the building and near either street.

Outside display of ATVs are proposed (See "ATV Outside Display" areas next page). A 10-foot-wide sidewalk adjacent to two sides of the showroom building and in front of a future warehouse will be used as daytime outside display. At the end of business day, the ATVs on the sidewalks will be stored indoors. For day & night display (24 hour display/storage outside), the vehicles are on a 20' x 185' hard surface "product display area" adjacent to the south side of the showroom building that faces Highway 280. On the west side of the showroom building a 4,200 square foot gravel-type area is used for day & night time display; this area secured with a fence. Staff recommends the 4,200 sf area be hard surface - concrete or asphalt. Outside lighting will be provided for the parking lot area, but there are no plans for lighting ATV outdoor display areas.

Recommendation

Staff recommends approval subject to the following:

- 1. Add trees along the front property line of Highway 280 and Grand National Parkway to both side property lines. Tree spacing based on tree type as provided in Landscape Regulations.**
- ~~2. CMU block and insulated metal panels proposed for the exterior material must be an architectural style decorative material. Revised elevations in packet.~~**
- 3. ATVs outdoor display is limited to the areas shown on drawing attached. No parts or tires shall be displayed or stored outside.**
- 4. The outside display of ATVs on 10 foot wide sidewalks must be ADA compliant concerning minimum clearance of an aisle width especially for wheelchair passage.**
- 5. Enclose dumpster on all sides with an opaque fence and gate at a height so dumpster is not seen outside the enclosure.**
- 6. Wall signs are shown on the revised elevation drawings. This conditional use review does not include a review of signage. A Sign Permit application must be completed and approved by Planning staff and Building Inspections before any permanent signs are installed. Contact Planning staff to obtain approval for temporary signs before any temporary signs are installed.**
- 7. If outside lighting is proposed for ATVs, brightness must not exceed 1 footcandle at the property line.**
- 8. Fence material to secure ATVs must be a commercial architectural style (ex. Ornamental decorative fencing or rod-iron appearance). Wire mesh or chain link type fencing is prohibited.**
- 9. The 4,200 sf display area must be hard surface – concrete or asphalt - not gravel or yard area.**



Engineering Department Report

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

The Engineering Department has determined that the projected traffic in and out of this facility will not exceed the standards required for a traffic study or turn lanes. The spacing of the two proposed accesses exceeds the 200-ft that is required in the public works manual for this roadway.

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

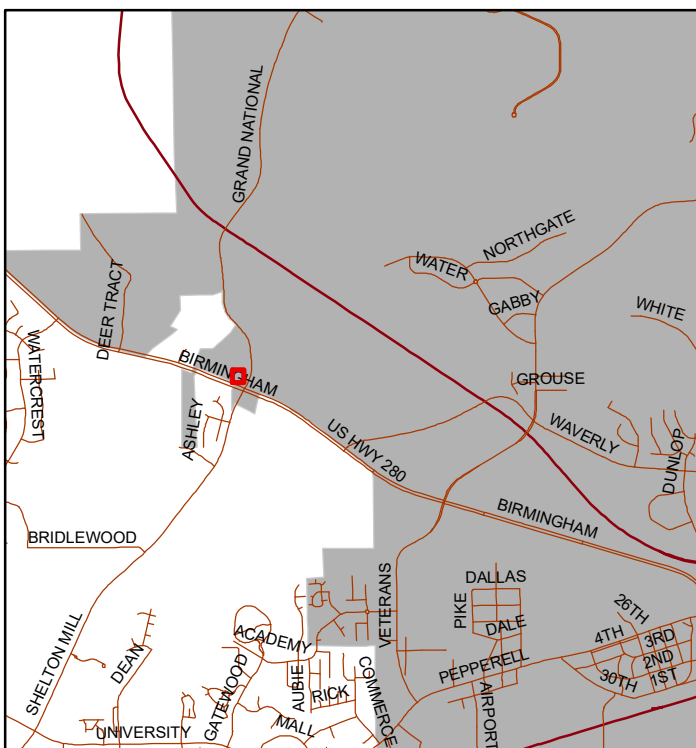
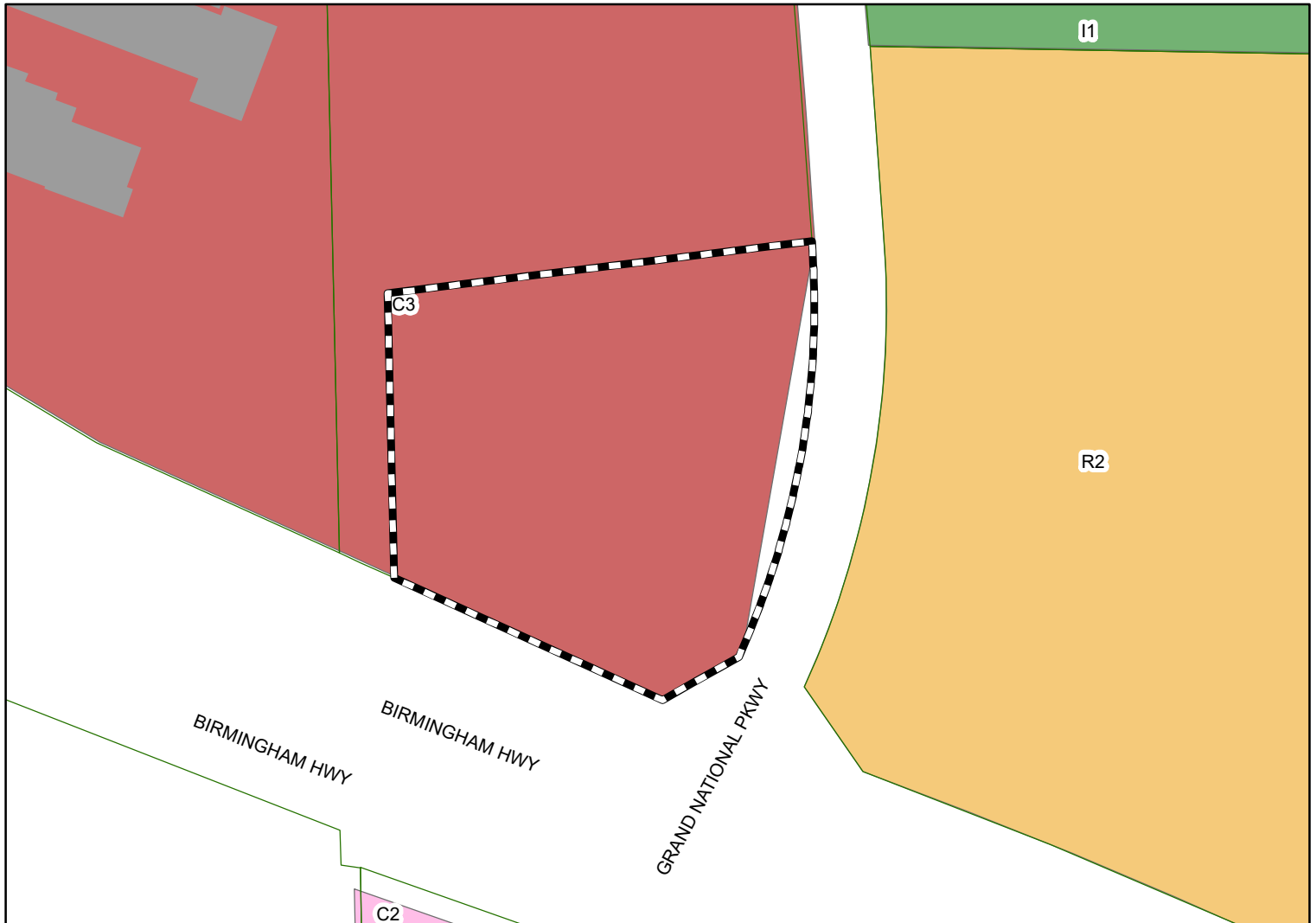
Opelika Utilities Board Report

No report.

Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

ATV SALES LOT (ALL-TERRAIN VEHICLES) 4800 BIRMINGHAM HIGHWAY CONDITIONAL USE, G-10



The applicant is requesting approval for a ATV sales lot with maintenance services. The property is 4.5 acres, zoned C-3, GC-P and the ATV showroom building is 37,500 sf. This agenda item was tabled at the June 28th PC meeting.



Subject Property

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

Drawing Name: P:\1- BSI Projects\2022\22-0168 Cl Dyer - Extreme Powersports - Opelika\dwg\Site Layout - 4-18-22.dwg Last Modified: Jun 06, 2022 - 3:23pm by crogers

APPROX. LOCATION OF
REQ'D RETAINING WALL

FUTURE
WAREHOUSE
(12,000 SF)

PROPOSED SHOWROOM
(37,500 SF)

PROPOSED
STORMWATER
DETENTION
POND

ENTRANCE FOR
HEAVY TRUCKS &
PRODUCT DELIVERY

MAIN ENTRANCE FOR
CUSTOMERS

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

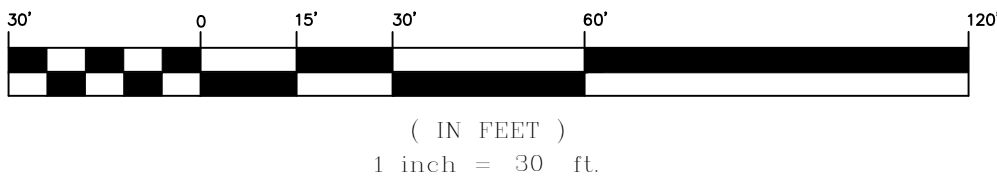
PROPOSED PLANT COUNT

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

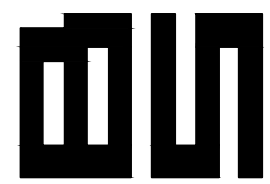
PROPOSED LANDSCAPE POINTS

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

GRAPHIC SCALE



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors
706 12th ST, PHEUNK CITY, AL 36067 (PH : 334-297-2423)
223 S. 9th ST, OPELIKA, AL 36801 (PH : 334-744-7080)
121 W. BROAD ST, EUFAULA, AL 36072 (PH : 334-687-4257)



EXTREME POWERSPORTS

OPELIKA, AL

REVISIONS:

1	

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LANDSCAPE PLAN

DRAWN BY: C. ROGERS
DESIGNED BY:
REVIEWED BY:
APPROVED BY:

DATE June 2, 2022

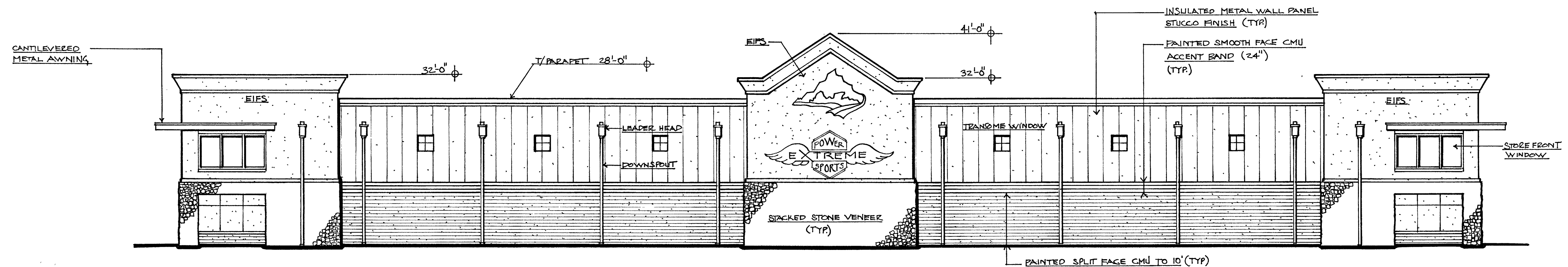
PROJECT NUMBER 22-0168

SHEET NUMBER

C2



ELEVATION - GRAND NATIONAL PARKWAY
 $\frac{3}{32}'' = 1'-0''$



ELEVATION - US HIGHWAY 280
 $\frac{3}{32}'' = 1'-0''$



ELEVATION - GRAND NATIONAL PARKWAY
3/32" = 1'-0"



ELEVATION - US HIGHWAY 280
3/32" = 1'-0"