

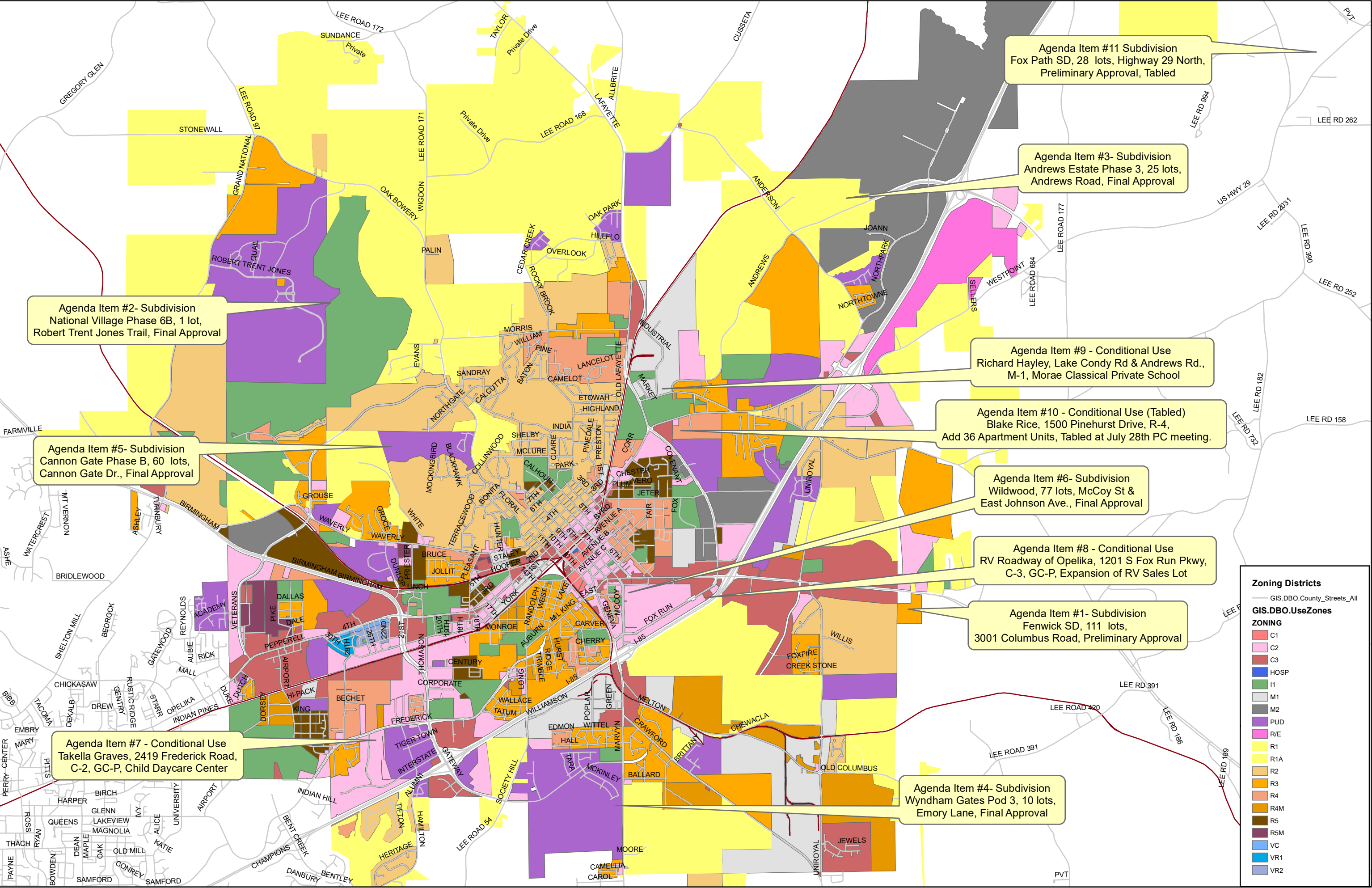


**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
August 23, 2022
TIME: 3:00 PM**

- 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. Fenwick SD, 111 lots, accessed at 3001 Columbus Parkway, Foresite Group, authorized representative for Opelika Development Ventures, LLC, Preliminary Approval
 - B. **FINAL PLAT**
 - 2. National Village SD, Phase 6B, 1 lot, accessed at Robert Trent Jones Trail, Alan Lee, authorized representative for Opelika Water Works Board, Final Approval
 - 3. Andrews Estates SD, Phase 3, 25 lots, accessed from Andrews Road, Tim Moore, Final Approval
 - 4. Wyndham Gates SD, Pod 3, Phase 1, 10 lots, accessed from Emory Lane, Doug Ransom, authorized representative for Opelika Gateway Properties, LLC, Final Plat
 - 5. Cannon Gate SD, Phase 3B, 60 lots, accessed from Cannon Gate Drive, Blake Rice, Barrett-Simpson, authorized representative for SMB Land LLC, Final Approval
 - 6. Wildwood SD, 77 lots, accessed from McCoy Street and East Johnson Avenue., Blake Rice, Barrett-Simpson, authorized representative for Fox Opelika, LLC, Final Approval
 - C. **CONDITIONAL USE - Public Hearing**
 - 7. Takella Graves, authorized representative for Starco Group, LLC, 2419 Frederick Road, C-2, GC-P, Childcare center.
 - 8. Scott Harris, Harris Gray LLC, authorized representative for G.A. Properties, LLC, 1201 S. Fox Run Parkway, C-3, GC-P, Expand the outside display area of RV Roadway of Opelika (Recreational Vehicle sales lot) and the future construction of a 11,250 square foot service building.

9. Richard Hayley, authorized representative for W.C. Davis Charitable Remainder Trust, accessed at the corner of Lake Condry Road and Andrews Road, 8.4 acres, M-1, Private school (Morae Classical School).
- V. OLD BUSINESS
- D. **PLAT (Preliminary Only) - Public Hearing**
10. Fox Path SD, 28 lots, accessed from Hwy 29 N, Brandon Bolt, Bolt Engineering, authorized representative for Edgar Hughston Builder, Inc, Preliminary Approval (*tabled at the July 26, 2022 meeting at the applicant's request*)
- E. **CONDITIONAL USE - Public Hearing**
11. 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*)
12. Jack Johnson, 300 Block Samford Avenue, C-2, GC-S, Climate-Controlled Self-Storage building approved at the August 2019 Planning Commission meeting, requesting extension of conditional use for 12 months starting at June 24, 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 #2- Subdivision
National Village Phase 6B, 1 lot,
Robert Trent Jones Trail, Final Approval

Agenda Item #5- Subdivision
Cannon Gate Phase B, 60 lots,
Cannon Gate Dr., Final Approval

Agenda Item #7 - Conditional Use
Takella Graves, 2419 Frederick Road,
C-2, GC-P, Child Daycare Center

Agenda Item #11 Subdivision
Fox Path SD, 28 lots, Highway 29 North,
Preliminary Approval, Tabled

Agenda Item #3- Subdivision
Andrews Estate Phase 3, 25 lots,
Andrews Road, Final Approval

Agenda Item #9 - Conditional Use
Richard Hayley, Lake Condry Rd & Andrews Rd.,
M-1, Morae Classical Private School

Agenda Item #10 - Conditional Use (Tabled)
Blake Rice, 1500 Pinehurst Drive, R-4,
Add 36 Apartment Units, Tabled at July 28th PC meeting.

Agenda Item #6- Subdivision
Wildwood, 77 lots, McCoy St &
East Johnson Ave., Final Approval

Agenda Item #8 - Conditional Use
RV Roadway of Opelika, 1201 S Fox Run Pkwy,
C-3, GC-P, Expansion of RV Sales Lot

Agenda Item #1- Subdivision
Fenwick SD, 111 lots,
3001 Columbus Road, Preliminary Approval

Agenda Item #4- Subdivision
Wyndham Gates Pod 3, 10 lots,
Emory Lane, Final Approval

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.
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

The City of Opelika Planning Commission held its regular monthly meeting July 26, 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, Mrs. Leigh Whatley, and Ms. Lucinda Cannon.

MEMBERS ABSENT: Dr. Arturo Menefee, Mr. Michael Hilyer, 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 June 28, 2022

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

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated there are no updates on previous Planning Commission 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

Mr. Mosley reported 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

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 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.

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

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

Chairman Cherry opened the public hearing.

Donna Smith, 3401 Oak Bowery Road, stated I live right across the street. The only concern I have is that there are 30 lots. I know there's one big lot, and some of us in the community were

looking at it, but you're looking at 60 cars possibly. There's only one way out of this subdivision onto Oak Bowery. It seems to me like maybe there should be another way to get from that subdivision to Oak Bowery than just one road. Also, I'm right across the street and there's a little curve. I can see when I'm coming out of my driveway, but over there by my mailbox where the road will be coming out, it's hard to see cars coming around that curve. It's just a concern cause cars are coming fast coming that way, and you're trying to get cars in and out from that road. Are there any plans to widen Oak Bowery down that way or anything like that?

Scott Parker, City Engineer, stated we have to set a standard for a second access requirements, and this does not meet that standard. Typical standards are 100 lots to have second access requirements. Typically, Planning and Engineering will encourage connectivity to other properties if it's feasible or future connectivities if somebody else connects. With this case, the properties are so large and one adjacent property owner being the Water Works Board of Opelika, are not conducive to develop their property, so we don't anticipate any other developments connected to this. Therefore, only one access is acceptable because of the limited number of lots. As for the curve, the design or site design engineer will need to take that into consideration for sight distance. If additional clearing or things like that are required or anything else, he'll have to make those assessments as he goes. At this time, we are not anticipating any widening or reconstruction on Oak Bowery Road.

Chairman Cherry closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Councilman Ward 1 Willie Allen

DISCUSSION: Ms. Cannon asked Mr. Parker, you were talking about connectivity of the subdivision. How does it connect?

Scott Parker stated it doesn't. A lot of times we do encourage connectivity if there's more of a dense subdivision. But this one, because it's so large and it has such large lots, we're not required connectivity on this one. Typically, we would, but not on this one because it's so spread out and it's so large.

Mr. Mosley stated where these streets come to a cul-de-sac it dead ends into the water or property into the lake. So, there's not really opportunities back there or to the south or the north. They're large residential lots for the most part.

Ms. Cannon stated I see there's no connectivity, but I thought he said there was going to be connectivity.

Scott Parker stated I apologize. We typically encourage it, but in this case, we're not requiring it.

Mr. Silberman asked are the road names the proposed names?

Mr. Mosley stated no sir. They'll have to come up with new street names prior to final plat approval.

	Scott Parker stated that will be on final plat.
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

2. Fox Path SD, 28 lots, accessed from Hwy 29 N, Brandon Bolt, Bolt Engineering, authorized representative for Edgar Hughston Builder, Inc, Preliminary Approval

Mr. Mosley reported 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

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 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.

Mr. Parker reported for the Opelika Utilities Board, this subdivision is located in the Beluah Utilities service area.

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

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

Motion to table the item at the applicant's request until the August 23, 2022 Planning Commission meeting

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Leigh Whatley
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

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.

Mr. Mosley reported 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.**

Mr. Parker reported for Engineering, the Engineering Department has no concerns with this rezoning recommends approval.

Mr. Parker reported for the Opelika Utilities Board, Opelika Utilities request a positive recommendation to the City Council.

Mr. Parker 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.

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

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

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

Mr. Mosley reported 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. Show the names and recordation information of any adjoining subdivisions should be shown.

Mr. Parker reported for Engineering, the Engineering Department has no other comments or concerns with this proposed plat and recommends preliminary plat approval.

Mr. Parker reported for the Opelika Utilities Board, recommend approval.

Mr. Parker 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.

Motion to grant preliminary plat approval with staff recommendations

RESULT:	Passed
MOVER:	Ira Silberman
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

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

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, 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, recommend approval.

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

Chairman Cherry opened the public hearing.

Marilyn Johnson, 3202 North Gate Drive, stated I was looking through this and I didn't realize it was just for utilities until I got here, however, I have a question about Lot 5. My question is, there's a little place that is marked up there in the curve on Water Street for a cemetery. Are y'all planning on putting a cemetery in here?

Mr. Mosley stated no, ma'am. That means there is a cemetery that has been noted there before. It's probably a historic cemetery.

Marilyn Johnson asked so there won't be more going in there? Will there be any more burials there or is this somebody's personal property?

Mr. Mosley stated this is on the Utilities Board property.

Marilyn Johnson asked ok, and in the future?

Mr. Mosley stated I don't believe you'll see more.

Marilyn Johnson stated I didn't even know it was there, but I thought maybe it's a proposal for it. That was my concern.

Mr. Mosley stated I don't think you're going to see any more burials on that site. It's just noting that there is a cemetery that has been identified there.

Marilyn Johnson asked but it is owned by the City?

Mr. Mosley stated it's owned by the Utilities Board, which is a separate entity from the City.

Marilyn Johnson stated thank you, that was my only concern.

April Webster, 3505 Saugahatchee Lake Road, stated Lot 3 is behind our property. It's 8.24 acres and this property also used to be a landfill. My question is, does Opelika Utilities still own all these lots or have they already sold all these lots?

Mr. Mosley stated they are signing as if they own all of the lots.

April Webster asked so they're going to sell them?

Mr. Mosley stated I don't believe so. I believe they're just platting them out.

April Webster asked was there any building construction going to happen on Lot 3?

Mr. Mosley stated I'd have to defer to the applicant on that. I don't know of any.

April Webster stated ok. On Lot 1, there are two ponds back there, 100.35 acres. There are alligators in these ponds. Then back behind North Gate that little strip, are any houses planning on going between that and Water Street? Because it's not a big area there. There are a lot of deer there anyway that jump out onto this road. So, you don't really know if they're going to build anything?

Mr. Mosley stated all they've come to us today is to divide the property. If they divide it further, they would have to come back. But this is only to divide it into these five lots.

April Webster asked can we request that Lot 3 not ever be built on?

Mr. Mosley stated that's up to the Utilities Board. The Planning Commission probably doesn't have that authority to do that.

Chairman Cherry stated that would be at the next stage for lots to be developed, and then that decision could be made at that time. But not now.

April Webster asked so why were we told to come if there was no reason to come?

Mr. Mosley stated state law says that whenever someone divides property adjacent to you that you notify the adjoining property owners of a public hearing. That's why you all received a letter letting you know that these five lots were being created.

April Webster stated but not sold. Opelika Utilities will continue to own all five lots.

Mr. Mosley stated I'd have to defer to the applicant who's here today to discuss that. All they're coming to ask us for and all the information we have is that they are dividing the one lot into five different lots. If they divide it further into multiple smaller lots, they would have to come back to the Planning Commission again and you would get another letter again with a new plan.

April Webster stated ok. So there's really nothing about building and just dividing lots.

Mr. Mosley stated yes, ma'am.

Blake Rice, Barrett-Simpson, authorized representative, stated just to clarify for both the citizens and the Commission, these properties technically already exist in their current state. When Water Street was constructed, however many years ago by Opelika Utilities, the roadway was constructed. The right-of-way around that roadway was never platted and dedicated to the City, so this road currently is still owned by Opelika Utilities. They realized this and are trying to correct that issue by getting these rights-of-ways created so that roadway can become a public roadway, not owed by Opelika Utilities. When you create that right-of-way, it by default creates these similar parcels. Opelika Utilities, as far as I know and as far as what they told me, have no intention or desire to do any more construction on any of these. This is simply a legal boundary issue right now.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Leigh Whatley
AYES:	Cannon, Chairman Cherry, Whatley, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	Ira Silberman

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

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, 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, recommend approval pending water system testing and final inspection.

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

Motion to grant final plat approval with staff recommendations

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

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.

Mr. Mosley reported 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.



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

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

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

Chairman Cherry opened the public hearing.

Edward Pettigrew, applicant, stated I am the owner of Cheno's Custom Creations. I am here to answer any questions concerning my business. I work alone and I do appointments only. My business consists of woodworking, fiberglass, moldings, and car audio. I work on several different types of vehicles from four wheelers to marine vehicles. I offer a lot of services to recreational vehicles, motorcycles, and ATVs also.

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, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

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

Mr. Mosley reported 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.**

Mr. Parker reported for Engineering, the Engineering Department has no concerns with this rezoning recommends approval.

Mr. Parker reported for the Opelika Utilities Board, water service is not accessible from Sportsplex Parkway at this time.

Mr. Parker reported for the Opelika Power Services, this subdivision is outside 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 amendment to the Future Land Use Map with staff recommendations

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Ira Silberman
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, 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:	Mayor Gary Fuller
SECONDER:	Councilman Ward 1 Allen
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen
NAYS:	None
ABSTAIN:	None

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*)

Mr. Mosley stated we are working with the developer and I think we will have something finalized very shortly. We recommend that this item remains tabled at this time.

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*)

Mr. Mosley reported *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.

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.

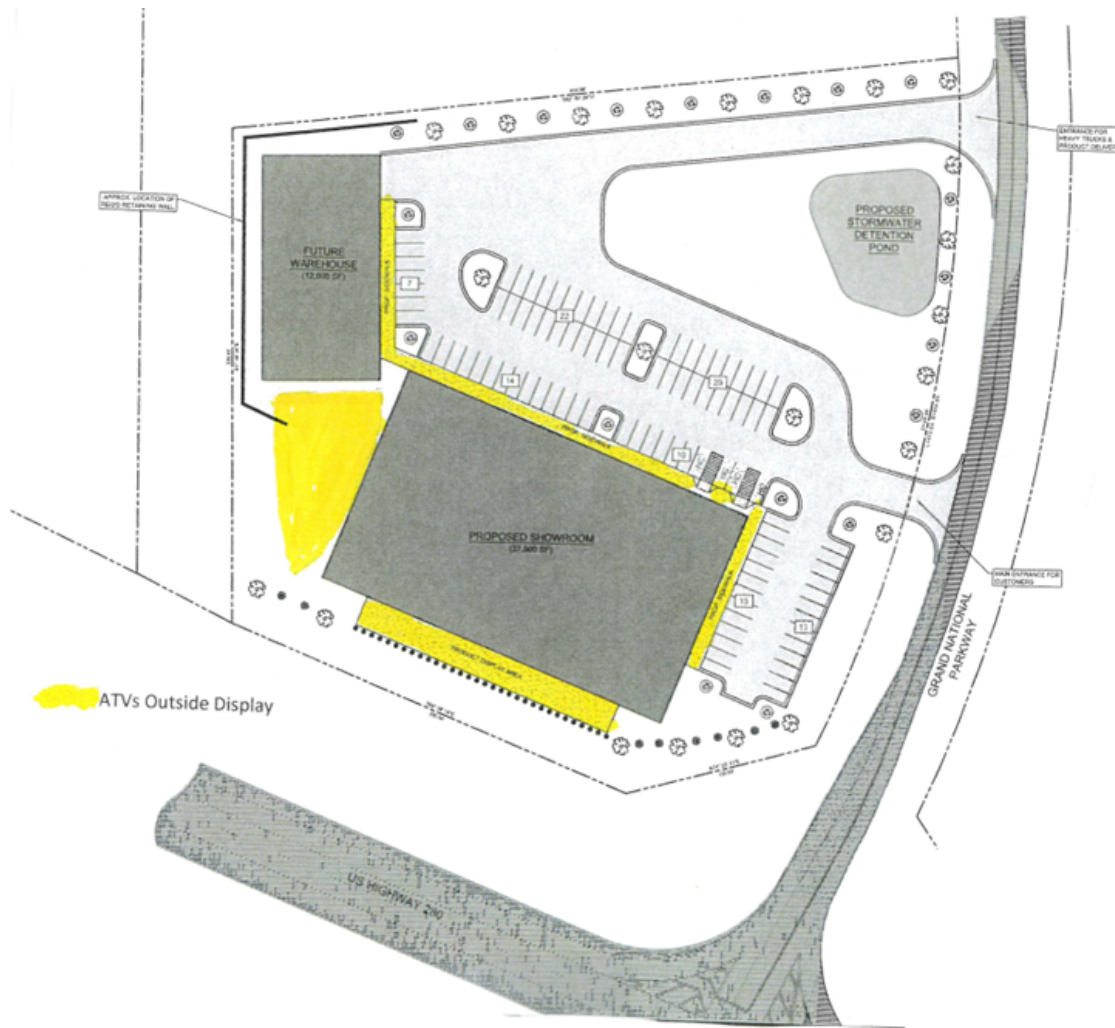
Recommendation

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.**

(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.



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 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.

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

Mr. Parker reported for the Opelika Power Services, this subdivision is outside 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: Ira Silberman

DISCUSSION: Ms. Cannon stated I find it odd that you want to have a business that is on a U.S. Highway and it's the back of your business. Cars going up and down Highway 280 are going to see the back of your business. I appreciate the fact that they even put some glass in there, but it is one of the entrances into Opelika and you're getting the back of a building.

Mr. Mosley stated I think with these changes this will look like a front now.

Ms. Cannon asked even if you can't get up to the front? Is there going to be grass there or shrubs?

Mr. Mosley stated yes ma'am. The parking will be from the other side, and you will have a display area and landscaping on this side.

Blake Rice, authorized representative, stated in most situations I would certainly agree with you. The difference here is this building is 35 feet above the road. You cannot access this building from Highway 280. The DOT would not give an access to this, nor could you topographically get there the building sits so high above the road. If anyone has ever taken a look at it and realized how high APR is above the road; the difference there is it was landlocked and the DOT had to provide them an entrance. The DOT on this corner lot would not provide an entrance so it has to be entered off of Grand National Parkway. So, when you enter it off of the back you are essentially double fronting a building to service your customers that are going to enter it from the other side.

Ms. Cannon stated I understand that, but it's right at an entrance into Opelika. It just seems like you would want to show it off to as many people as possible. Maybe park some out there or something.

Blake Rice stated we are not even 100% sure at this time whether or not the DOT is going to grant any type of landscape permit for this, so they might not even be able to remove the trees that are currently on the DOT right-of-way. All of that has to be worked out with the DOT which is a very lengthy process. All of the foliage that is there now might have to remain per DOT requirements.

Mr. Silberman stated at the last meeting I was opposed for the same reasons, but I agree with what you are saying about the geography changing it and they have improved the look.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Mayor Fuller, Councilman Ward 1 Allen

NAYS: None

ABSTAIN: None

VI. ADJOURN

Motion to adjourn at 3:48 p.m.

RESULT:	Passed
MOVER:	Mayor Gary Fuller
SECONDER:	Councilman Ward 1 Willie Allen
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, 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

3039

PC DEADLINE: 8/2/22 PC MEETING: 8/23/22

SITE ADDRESS: US Hwy 280, Opelika, AL

PROPERTY OWNER: Opelika Development Ventures, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Richard Ferry

MAILING ADDRESS: 270 North Jeff Davis Drive, Fayetteville, GA 30214

PHONE NUMBER: (770) 461-0478

FAX NUMBER: _____

EMAIL ADDRESS: rferry@brentholdings.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: Fenwick

Number of Lots: 111 x \$3.00 = \$ 333

Current Land Use: Vacant

Number of APO: 7 x \$6.74 = \$ _____
(Adjacent Property Owners)

Current Zoning: R-3

Fee: \$75.00

Proposed use of the Subdivision: Single Family Residential

TOTAL = 455.18

☒ Residential

☐ Commercial

☐ Manufacturing/Industrial

☐ Office/Institutional

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Fenwick 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: Richard W. Ferry

(PRINT NAME) Richard Ferry

8.2.2022

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Subdivision: Fenwick Subdivision

Agenda Item #: A-1

Action Requested: Preliminary Approval

Location of Property: 3001 Columbus Parkway

Property Owner(s): Opelika Development Ventures, LLC
Foresite Group, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-3

Flood Zone: Not provided

Staff Comments:

The purpose for the subdivision is to build single family homes on 106 lots. A similar preliminary plat was presented by different applicant and approved on September 22, 2020. The applicant Opelika Development Ventures is requesting preliminary approval for a 111-lot subdivision accessed from Columbus Parkway. (The 111 lots includes 2 detention pond lots, 2 lot adjacent to Highway 280, and Lot 111 a public drainage easement lot.) Lots 25 is 48,450 sf & Lot 35 is 45,837 sf are shown on the plat are labeled “Open Space/Detention Lot” and Amenity/Detention Lot”.

The subdivision is in an R-3 zoning district. In the R-3 zone the minimum lot size is 10,000 square feet and minimum lot width is 70 feet. All the lots meet the R-3 minimum standards for lot area and lot width; a few cul-de-sacs lots are less than 70 feet wide at the front property line, but lot width must be at least 70 feet wide at the 30-foot minimum building setback line. The 106 single family home lots range in size from 10,127 square feet to 19,681 sf and most lot widths are 70 feet along the front property line. Lots 109 and 110 will be used as a buffer area from Columbus Parkway. Lot 111 will be used for drainage structures. Staff recommends a note be added to state Lots 25, 109, 110, and 111 are not buildable. Staff recommends sidewalks installed on at both sides of all streets and underground utilities installed.

The applicant did provide a future stub out for the west and south portion of the property. Staff recommends a stub-out is recommended along the east property line in place of the stub street to the south. The stub out extension provides opportunity for an alternative access to the subdivision and/or connectivity to a future subdivision that has access to Columbus Parkway or possibly another major collector/arterial street.

Staff recommends preliminary approval subject to the following:

- 1. Existing structures should be indicated.**
- 2. A portion of the power line right of way appears to cut across the southeast corner of the property.**
- 3. On the final plat provide the flood zone.**
- 4. Add the signature line for the Chairman of the Planning Commission.**
- 5. Install underground utilities.**
- 6. Install sidewalks on both sides of all streets.**
- 7. On the final plat, provide a 60-foot-wide stub-out right-of-way to the east property line.**
- 8. Lot width must be at least 70 feet along front property line or 70 feet at the 30-foot minimum building setback line.**
- 9. Provide a buffer screen on the frontage lots adjacent to Columbus Parkway (Lot 109 and 110) to meet Section 3.5 B. 2 of the Subdivision Regulations consisting of recommended plantings (The subdivider shall provide a Planting Buffer Easement of not less than ten (10) feet in width, along the lots abutting an artery).**
- 10. Add a note to state Lot 25, 109, 110, and 111 are not buildable lots.**
- 11. Add a note to the final plat providing the ownership, maintenance, and who is responsible for the detention ponds, amenity, and open space on lots 25, 35, 109, 110, and 111.**

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.

Since this development accesses US 280 (Columbus Parkway), ALDOT will direct the access management and turn lane requirements.

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

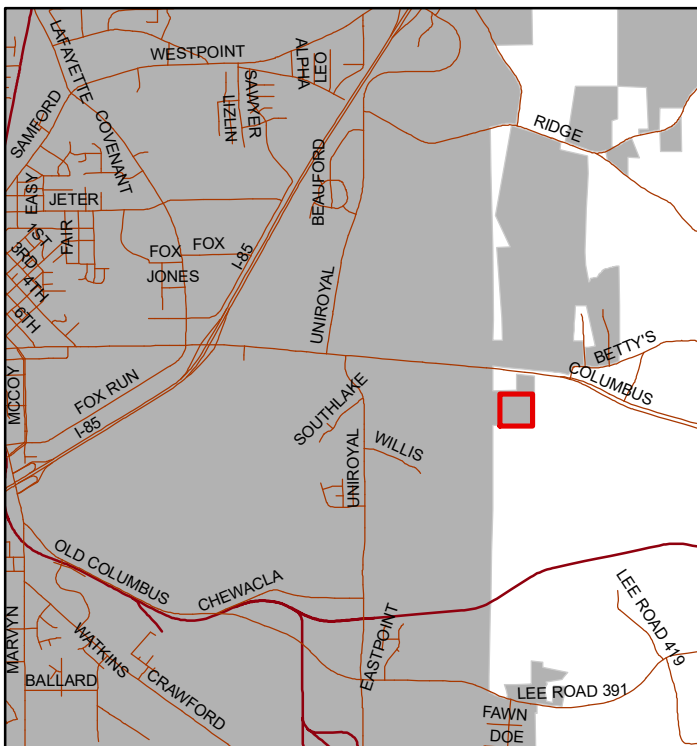
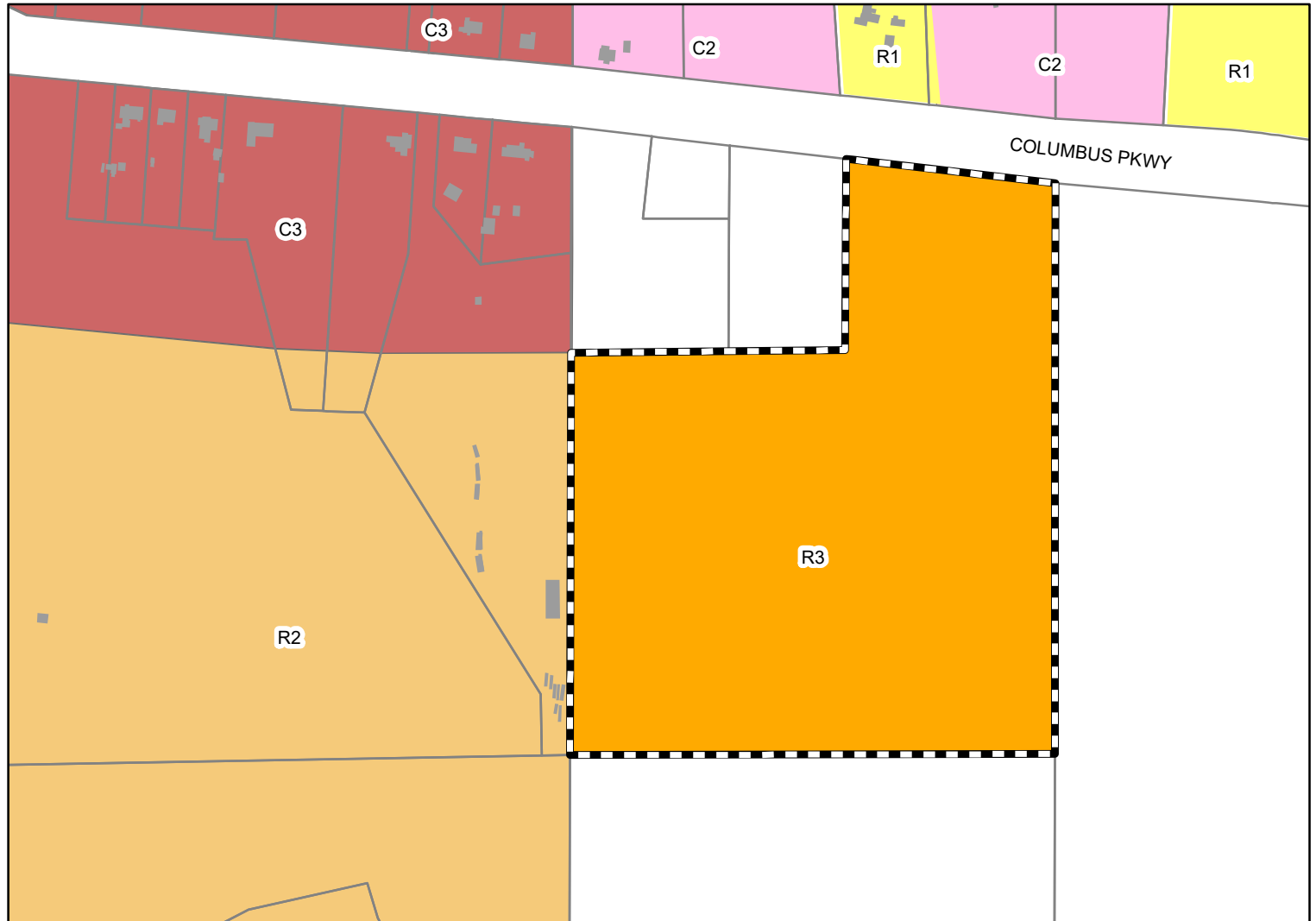
Opelika Utilities Board Report

Water service is assessable by a water main in the R.O.W. of Columbus Parkway.

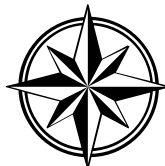
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

FENWICK SUBDIVISION 3001 COLUMBUS PARKWAY PRELIMINARY PLAT APPROVAL, A-1



The applicant is requesting approval for 109 single family home lots. The subdivision is in a R-3 zoning district - 10,000 square feet is the minimum lot size.



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.

STATE OF ALABAMA
LEE COUNTY

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

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

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

STATE OF ALABAMA
LEE COUNTY

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

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

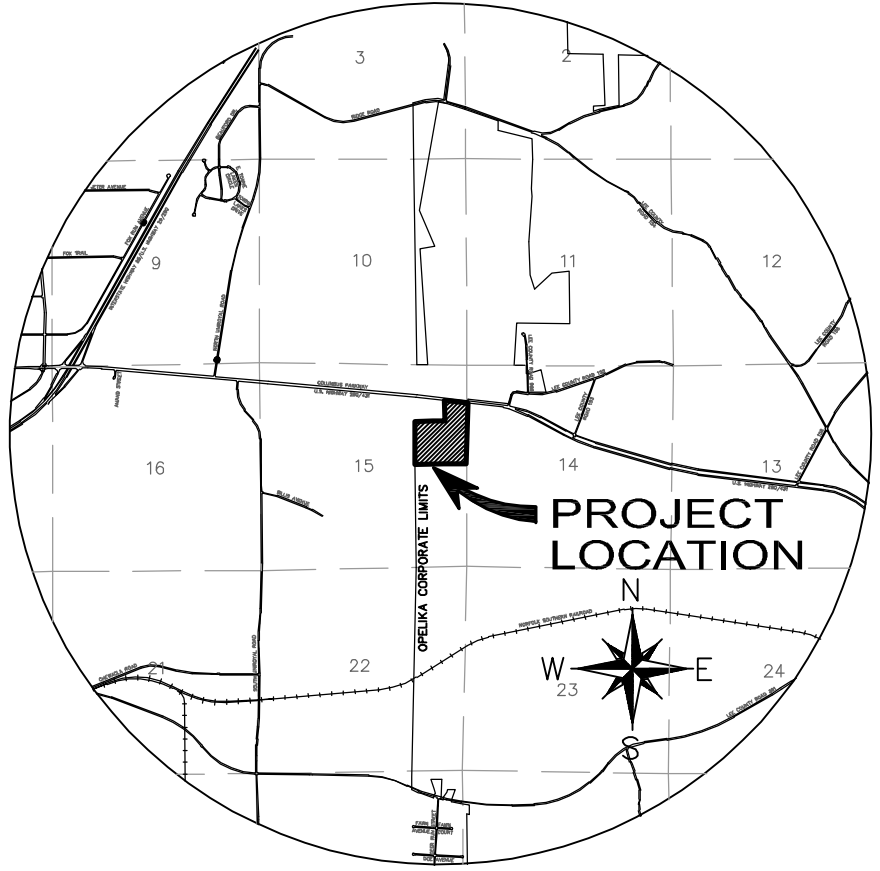
NAME, MANAGING MEMBER
COMPANY

STATE OF ALABAMA
LEE COUNTY

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

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

NOTARY PUBLIC:
MY COMMISSION EXPIRES:



VICINITY MAP

NOTES:

- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
- NORTH IS BASED ON GRID NORTH.
- FIELDWORK COMPLETED JUNE 22, 2022. OFFICEWORK COMPLETED JULY 27, 2022.
- 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. 22172034. BEFORE DIGGING, PLEASE CONTACT 811 TO REVERIFY THE PRESENCE OF UTILITIES.
- THE ORIGINAL DEED FOR THE PROPERTY (DEED BOOK 2622, PAGE 556) CALLS FOR THE EAST LINE OF THE PROPERTY TO FOLLOW THE SECTION LINE.
- THERE APPEARS TO BE A 30' R.O.W. ACQUISITION MADE AT SOME POINT, NO RECORDS OR ALDOT FILES WERE FOUND TO SHOW THIS.
- AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES; EASEMENT TO BE TEN (10') FEET WIDE, BEING FIVE (5') FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
- THE PROPERTY OWNER IS _____ ROAD, OPELIKA, AL. 36804.

APPROVED BY THE OPELIKA PUBLIC WORKS DEPARTMENT, OPELIKA, ALABAMA:

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

PLANNING DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITIES BOARD: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____

FENWICK SUBDIVISION

LOT AREA TABLE

LOT #	Acreage	Sq. Feet	LOT #	Acreage	Sq. Feet	LOT #	Acreage	Sq. Feet
1	0.27	11,865.9	39	0.27	11,865.9	77	0.25	10,850.0
2	0.24	10,297.4	40	0.24	10,500.0	78	0.25	10,850.0
3	0.41	17,651.9	41	0.23	10,126.3	79	0.29	12,533.9
4	0.45	19,680.6	42	0.33	14,448.3	80	0.30	13,043.0
5	0.41	18,052.3	43	0.44	18,963.8	81	0.25	10,850.0
6	0.41	17,651.9	44	0.25	10,933.8	82	0.25	10,850.0
7	0.24	10,297.4	45	0.28	12,014.8	83	0.25	10,850.0
8	0.27	11,865.9	46	0.28	11,997.1	84	0.28	12,265.9
9	0.27	11,865.9	47	0.27	11,949.9	85	0.32	14,061.3
10	0.24	10,297.4	48	0.27	11,902.0	86	0.25	10,850.0
11	0.41	17,651.9	49	0.25	10,771.2	87	0.25	10,850.0
12	0.37	16,198.5	50	0.43	18,823.8	88	0.25	10,850.0
13	0.38	16,456.5	51	0.40	17,290.2	89	0.25	10,850.0
14	0.32	14,041.8	52	0.25	10,847.8	90	0.25	10,850.0
15	0.24	10,297.4	53	0.24	10,500.0	91	0.25	10,850.0
16	0.27	11,865.9	54	0.24	10,500.0	92	0.25	10,850.0
17	0.24	10,500.0	55	0.28	12,117.3	93	0.25	10,850.0
18	0.24	10,500.0	56	0.28	12,103.7	94	0.25	10,850.0
19	0.24	10,500.0	57	0.24	10,500.0	95	0.25	10,850.0
20	0.24	10,500.0	58	0.24	10,500.0	96	0.30	13,187.6
21	0.24	10,500.0	59	0.24	10,427.2	97	0.31	13,696.7
22	0.24	10,500.0	60	0.32	13,736.9	98	0.25	10,850.0
23	0.24	10,500.0	61	0.42	18,254.0	99	0.25	10,850.0
24	0.24	10,500.0	62	0.25	11,063.6	100	0.25	10,850.0
25	1.11	48,450.0	63	0.25	10,849.7	101	0.25	10,850.0
26	0.24	10,500.0	64	0.25	10,850.0	102	0.25	10,850.0
27	0.24	10,500.0	65	0.25	10,850.0	103	0.25	10,850.0
28	0.24	10,500.0	66	0.25	10,850.0	104	0.25	10,850.0
29	0.24	10,500.0	67	0.25	10,850.0	105	0.25	10,850.0
30	0.24	10,500.0	68	0.25	10,850.0	106	0.25	10,850.0
31	0.24	10,500.0	69	0.25	10,850.0	107	0.25	10,850.0
32	0.24	10,500.0	70	0.28	10,850.1	108	0.29	12,821.6
33	0.24	10,500.0	71	0.25	10,850.0	109	0.53	23,201.0
34	0.28	12,336.8	72	0.25	10,850.3	110	0.07	3,226.0
35	1.05	45,837.0	73	0.25	10,850.0	111	0.14	6,200.0
36	0.24	10,500.0	74	0.28	12,258.2			
37	0.24	10,500.0	75	0.28	12,265.9			
38	0.24	10,500.0	76	0.25	10,850.0			

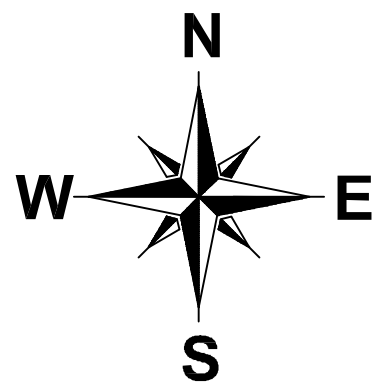
43 10 05 15 0 000 017.000
WILLIS FARM HOLDINGS LLC
C O RED OAK RESERVE
8014 CUMMING HWY STE 403-369
CUMMING, GA 30115

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00	39.27	26.50	N 39°11'05" W
C2	55.00	26.77	26.50	N 39°11'05" W
C3	55.00	76.17	70.23	S 87°11'57" W
C4	55.00	43.90	42.74	S 24°39'54" W
C5	55.00	43.90	42.74	S 21°04'20" E
C6	55.00	76.17	70.23	S 83°36'42" E
C7	55.00	26.77	26.50	N 42°46'19" E
C8	25.00	39.27	26.50	S 43°12'23" E
C9	25.00	39.27	26.50	S 46°47'57" W
C10	55.00	26.77	26.50	N 39°11'05" W
C11	55.00	76.17	70.23	S 87°11'57" W
C12	55.00	43.90	42.74	S 24°39'54" W
C13	55.00	43.90	42.74	S 21°04'20" E
C14	55.00	51.90	50.00	S 25°14'31" W
C15	55.00	68.16	63.88	S 87°46'54" E
C16	55.00	26.77	26.50	N 42°46'19" E
C17	25.00	39.27	26.50	S 43°12'23" E
C18	25.00	39.27	26.50	S 45°16'39" W
C19	25.00	39.27	26.50	N 46°14'20" W
C20	25.00	22.39	21.65	N 24°25'12" E
C21	55.00	65.72	61.88	N 08°26'00" W
C22	55.00	46.36	45.00	S 66°48'40" W
C23	55.00	46.36	45.00	S 63°14'52" W
C24	25.00	22.39	21.65	S 63°06'08" W
C25	25.00	22.39	21.65	N 65°34'48" W
C26	55.00	49.53	47.87	N 05°43'13" W
C27	55.00	46.36	45.00	S 64°19'59" W
C28	55.00	87.83	78.79	S 05°33'45" E
C29	25.00	22.39	21.65	S 25°39'05" E
C30	25.00	38.73	34.97	S 44°23'03" W
C31	25.00	39.81	35.74	S 45°36'57" W
C32	25.00	22.39	21.65	S 25°39'59" W
C33	25.00	2.98	2.98	S 65°58'43" W
C34	55.00	76.80	70.79	S 08°54'32" E
C35	55.00	46.36	45.00	S 55°37'44" E
C36	55.00	60.26	57.29	N 68°50'00" E
C37	25.00	19.00	18.65	N 84°52'35" E
C38	25.00	3.39	3.39	N 84°52'35" E
C39	25.00	40.59	36.28	S 44°43'21" E
C40	25.00	40.59	36.28	S 44°43'21" E
C41	25.00	37.85	34.41	N 45°16'39" W
C42	25.00	39.81	35.74	N 45°36'57" W
C43	25.00	38.73	34.97	N 44°23'03" E
C44	25.00	39.81	35.74	N 45°16'39" W
C45	25.00	38.73	34.97	N 44°23'03" E
C46	25.00	39.27	35.36	S 46°14'20" E
C47	25.00	39.27	35.36	S 43°45'40" W

LINE TABLE

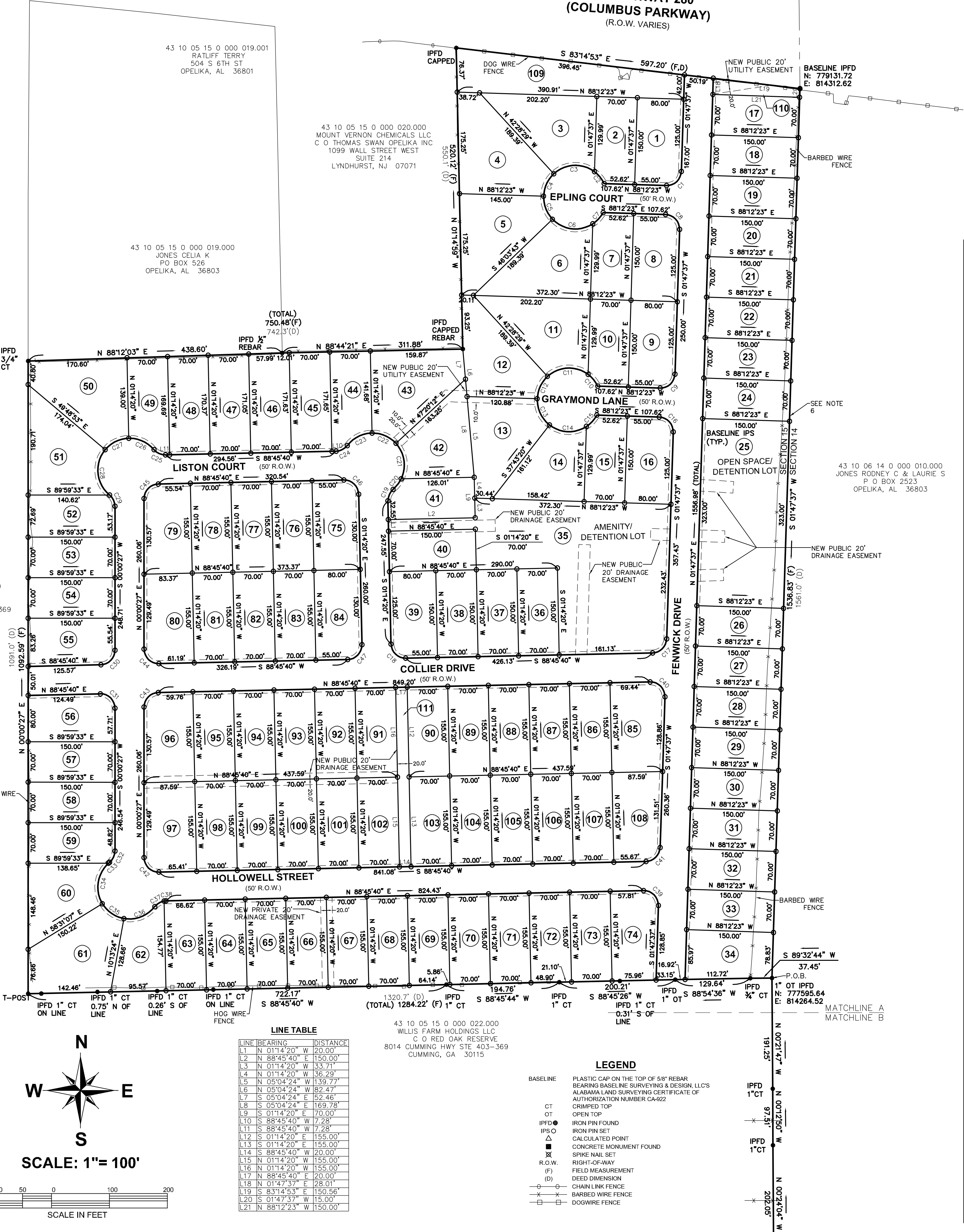
LINE	BEARING	DISTANCE
L1	N 01°14'20" W	20.00'
L2	N 88°45'40" E	150.00'
L3	N 01°14'20" W	133.71'
L4	N 01°14'20" W	36.29'
L5	N 05°04'24" W	139.77'
L6	N 05°04'24" W	82.47'
L7	S 05°04'24" E	82.46'
L8	S 05°04'24" E	169.78'
L9	S 01°14'20" E	70.00'
L10	N 88°45'40" W	7.28'
L11	N 88°45'40" W	7.28'
L12	S 01°14'20" E	155.00'
L13	S 01°14'20" E	155.00'
L14	N 88°45'40" W	20.00'
L15	N 01°14'20" W	155.00'
L16	N 01°14'20" W	155.00'
L17	N 88°45'40" E	20.00'
L18	N 01°47'37" E	28.01'
L19	S 83°14'53" E	150.56'
L20	S 01°47'37" W	15.00'
L21	N 88°12'23" W	150.00'



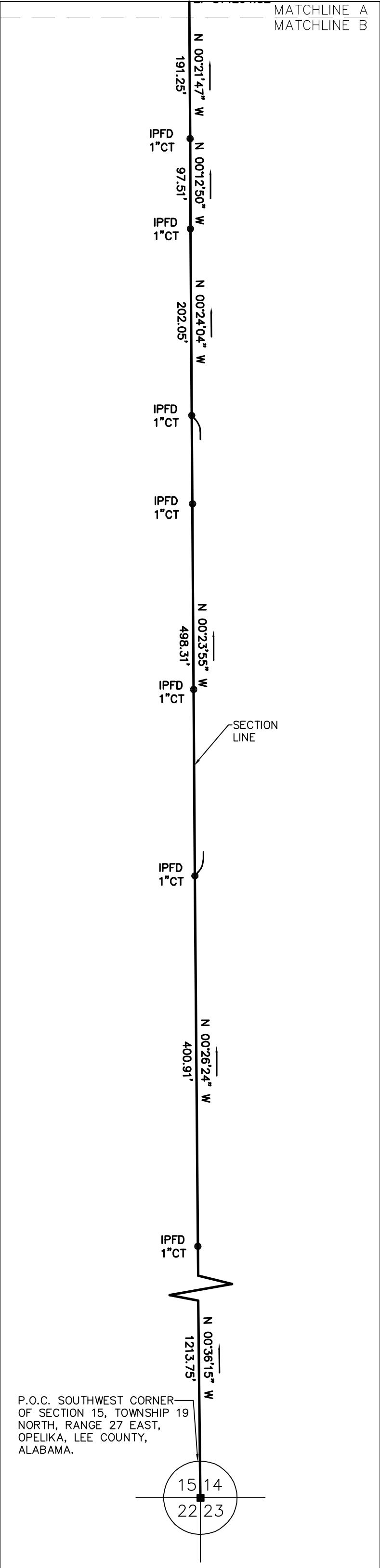
SCALE: 1"= 100'



U.S. HIGHWAY 280
(COLUMBUS PARKWAY)
(R.O.W. VARIES)

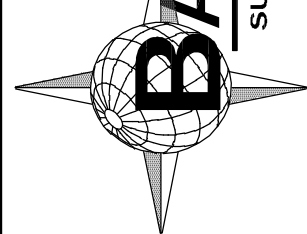


SECTION LINE DETAIL



THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC. THIS DRAWING IS THE PROPERTY OF BASELINE SURVEYING & DESIGN, LLC AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BASELINE SURVEYING & DESIGN, LLC.

2024 Virtual Data, Sta A
Opeika, Alabama 36801
Phone: (334) 748-9200
Web: www.baseline-llc.com



FENWICK SUBDIVISION
SEC. 15 T 19 N Rg 27 E
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"= 100' JULY 27, 2022
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

JOB NO.

B102022.13

DRAWN

DMC

CREW CHIEF

RAB



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

3038



DEADLINE: _____ MEETING: _____

SITE ADDRESS: On Robert Trent Jones Trail
PROPERTY OWNER: Opelika Water Works Board
APPLICANT/AUTHORIZED REPRESENTATIVE: Alan Lee
MAILING ADDRESS: 4055 Water St, Opelika, AL 36801
PHONE NUMBER: 334-705-5500 **FAX NUMBER:** 334-821-4044
EMAIL ADDRESS: alee@owwb.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 INFORMATIONSubdivision Name: National Village 6BCurrent Land Use: vacantCurrent Zoning: I1 and PUDProposed use of the Subdivision: convey from OWWB to RSA

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

Number of Lots: 1 x \$3.00 = \$ _____Number of APO: 19 x \$7.00 = \$ _____
(Adjacent Property Owners)Fee: \$75.00**TOTAL** = _____**PAID** _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) National Village 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:**

08/10/2022

(PRINT NAME) Dan H. Hilyer

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Agenda Item #: B-2

Action Requested: Final 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 (pending rezoning approval to PUD by City Council)

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 requesting final approval for a two-lot subdivision. (Preliminary approval was granted at the July 26th PC meeting.) Lot 24, accessed from Spa Loop, is 2.6 acres and subdivided from a 443 acre parcel. (*The insert/smaller map on the plat shows the two lots together.*) Lot 24 will be purchased by the Retirement Systems of Alabama (RSA) and included in the National Village PUD development. Currently, the 2.6 acres is in the rezoning process; a City Council public hearing is scheduled for September 6th to be rezoned from I-1 (Institutional) to the National Village PUD zoning district. After the rezoning is approved and RSA purchases the lot, the 2.6-acre property will be combined with a 4.3-acre parcel. The 6.9 acre combined property will be subdivided into seven single family home lots. The 7 lots will be reviewed by the Planning Commission at a future meeting.

Planning staff recommends final approval subject to the following:

1. Label the power line easement and add width of easement
2. Add a signature line for the Chairman of the Planning Commission.

Engineering Department Report

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

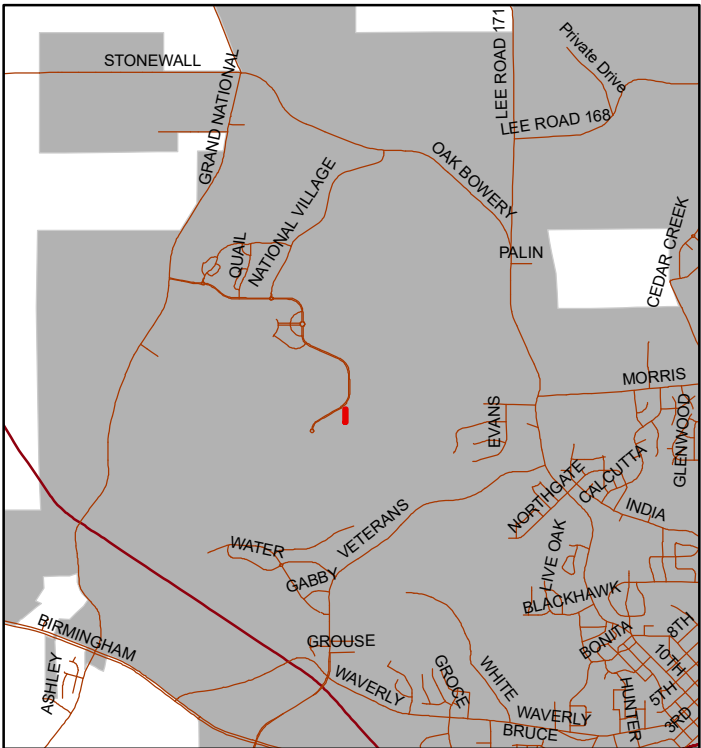
Opelika Utilities Board Report

No comments.

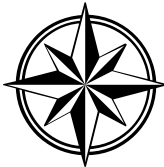
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

NATIONAL VILLAGE PHASE 6B SUBDIVISION
3250 BLOCK ROBERT TRENT JONES TRAIL
FINAL APPROVAL, B-2



The applicant is requesting to subdivide a 2.6 acres from 442 acre parcel. The 2.6 acre lot is being rezoned to a National Village PUD zoning district. The 2.6 acres will be combined with an adjacent property for 7 single family home lots.



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

3033



DEADLINE: 8/2/22 MEETING: 8/23/22

SITE ADDRESS: Andrews Road

PROPERTY OWNER: Tim Moore

APPLICANT/AUTHORIZED REPRESENTATIVE: Tim Moore

MAILING ADDRESS: 2124 Moores Mill Road Suite 110

PHONE NUMBER: 334-*821-0105 **FAX NUMBER:** 334-821-4044

EMAIL ADDRESS: mike.preciusionsurv@gmail.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: Andrews Estates Phase 3

Current Land Use: Residential

Current Zoning: R1

Proposed use of the Subdivision: Single family residential

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

Number of Lots: 25 x \$3.00 = \$ 75

Number of APO: 17 x \$7.00 = \$ _____
(Adjacent Property Owners)

Fee: \$75.00

TOTAL = _____

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Andrews Estates Phase 3 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE: Tim Moore

(PRINT NAME) Tim Moore

8-2-2022

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Subdivision: Andrews Estates, Phase 3

Agenda Item #: B-3

Action Requested: Final Approval

Location of Property: 1800 block Andrews Road

Property Owner(s): Moore's Construction, LLC
Mike Maher, Precision Surveying

Current Land Use: Undeveloped

Current Zoning: R-1

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0080G –A portion of plat within Special Flood Hazard Area as shown.

Staff Comments:

The Planning Commission gave preliminary plat approval for these lots in 2020. The applicant is requesting final approval for 25 lots accessed from new cul-de-sac streets named Tyler Court and Tiana Way off Andrews Road. Single family home construction is planned. In this R-1 zoning district, the lots meet the minimum one-acre lot size and 100 foot lot width along the front property line or at the 50-foot building setback line. The lot sizes range from 1 acre to 2.67 acres. Lot 13 (29.60 acres) is in a 100-year Floodplain and unbuildable. Lot 3 and Lot 27 are on the corner of Andrews Road and Tyler Court; driveway access to these lots is from Tyler Court to limit vehicle driveway accesses to Andrews Road.

Planning staff recommends preliminary approval subject to the following:

- 1. Underground utilities required.**
- 2. Sidewalks are required on at least one side of the street.**
- 3. Update Note 11. To read as Lot 13.**
- 4. Add a signature block for the Planning Commission Chairman.**
- 5. Add a note on plat that Lot 3 and Lot 27 (corner lots) have public street access from Tyler Court only.**

Engineering Department Report

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

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

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

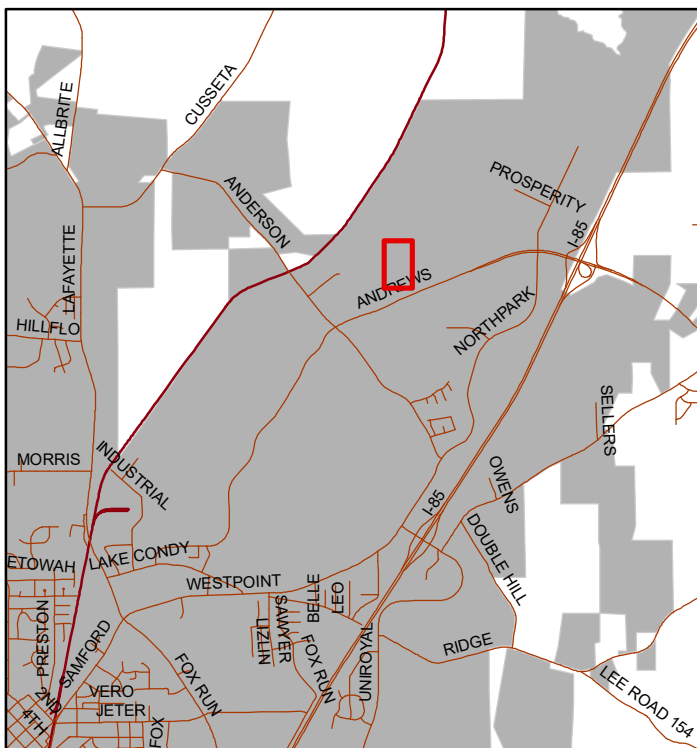
Opelika Utilities Board Report

Opelika Utilities recommends approval.

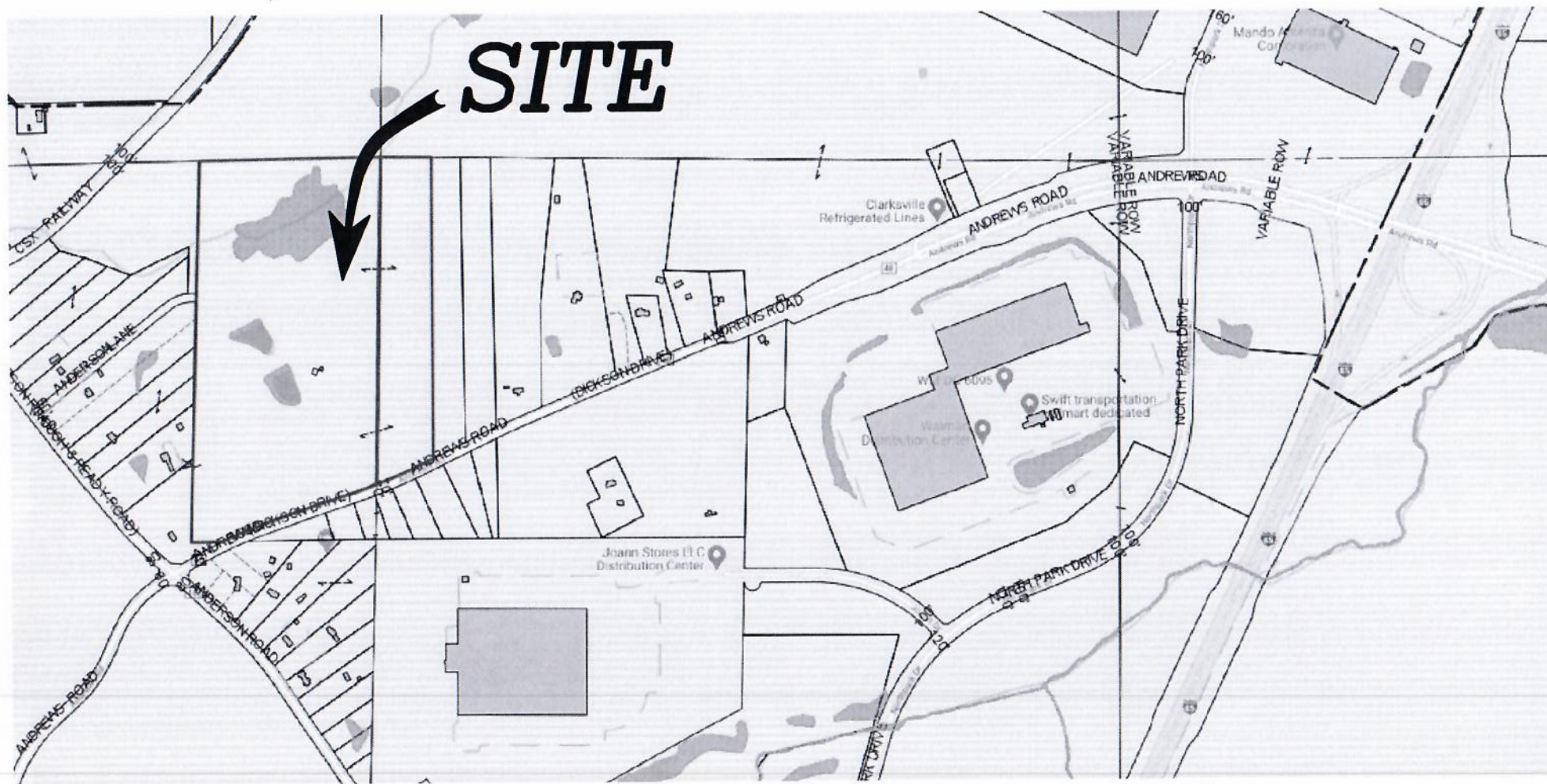
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

The map displays a residential area with a yellow background. A black dashed line outlines a specific parcel. The parcel is located between Anderson Ln and Andrews Rd, and between Anderson Rd and a grey area labeled M2. The map shows Anderson Rd, Anderson Ln, and Andrews Rd. Zoning codes R1, R3, and M2 are indicated. The parcel is located between Anderson Ln and Andrews Rd, and between Anderson Rd and a grey area labeled M2.



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.



VICINITY MAP
NOT TO SCALE

ANDREWS ESTATES PHASE 3

Being a Redivision of
DICKSON SUBDIVISION, LOT 3
SECTIONS 27 & 28 T 20 N R 27 E
OPELIKA LEE COUNTY ALABAMA

LEGEND
(M) = MEASURED
(R) = RECORDED
OTF = OPEN TOP PIPE
CTP = 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-X- = WIRE FENCE
- - - = WOOD FENCE
- - - = CHAIN LINK FENCE
TREC = TALLAPOOSA RIVER ELEC. COOP.

43.03.05.21.0.000.006.000
OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY
P O BOX 965
OPELIKA, AL 36803

43.03.05.22.0.000.001.000
OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY
P O BOX 965
OPELIKA, AL 36803

43.03.08.27.0.000.009.009
PEOPLES THOMAS BEJAMIN & CHRISTY
2070 ANDREWS RD
OPELIKA, AL 36804

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 _____, 2021.

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

State of Alabama
Lee County
I, Timothy J. Moore, as owner of Moore's Construction LLC, owner of the real property shown on this plat, hereby join in the statement of Michael T. Maher, and certify that it was and is its purpose to subdivide the lands so plotted as shown.
In witness whereof, I, Timothy J. Moore, as owner of Moore's Construction LLC, have hereunto set my hand on this the ____ day of _____, 2021.

Timothy J. Moore, Owner of Moore's Construction LLC

State of Alabama
Lee County
I, the undersigned authority, a Notary Public in and for said county, do said state, certify that Timothy J. Moore, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2021.

Notary Public:
My commission expires: _____

Approved by the Opelika City Planning Director, Opelika, AL:

Director: _____ Date: _____

Approved by the Opelika Utilities Board, Opelika, Alabama:

Opelika Utilities Board: _____ Date: _____

Approved by the Opelika City Engineer, Opelika, Alabama:

Engineer: _____ Date: _____

Reviewed by Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

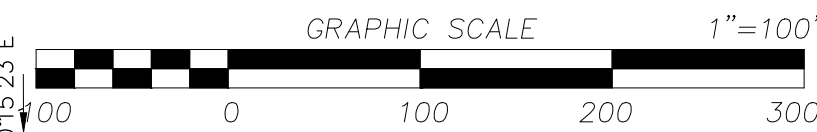
STATE OF ALABAMA
LEE COUNTY

The lot(s) on this plat are subject to approval or deletion by the Lee County Health Department (LHD). No representation is made that any lot on this plat will accommodate an On-Site Sewage System (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain certain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these are on file with said Health Department and are made a part of this plat as if set out hereon.

This the ____ day of _____, 2021.

Health Officer
County of Lee, Alabama

Curve #	Radius	CHORD DIRECTION	CHORD LENGTH
C1	55.00	S72°08'36"W	50.42
C2	55.00	N53°17'21"W	50.42
C3	2899.69	S69°52'16"W	164.82
C4	40.00	N13°19'46"E	59.38
C5	84.72	S77°24'57"W	82.63
C6	84.72	S77°24'57"W	68.56
C7	17.50	S73°00'00"E	25.07
C8	2899.69	S66°51'20"W	140.36
C9	2899.69	S64°52'15"W	60.50
C10	4193.52	N67°11'17"E	151.04
C11	4193.52	N65°25'48"E	120.93
C12	4193.52	N64°21'29"E	35.96



43.03.08.28.0.000.006.014
HAGAN AUSTIN K & SUSAN K
3419 DREXEL RD
LOT 13
OPELIKA, AL 36106
ELECTRA ESTATES

43.03.08.28.0.000.006.005
BOYD BILLY E & REBECCA J
3619 ANDERSON RD
OPELIKA, AL 36801
ELECTRA ESTATES

43.03.08.28.0.000.006.004
HAGAN AUSTIN K & SUSAN K
3419 DREXEL RD
LOT 2A
OPELIKA, AL 36801
ELECTRA ESTATES

43.03.08.28.0.000.006.002
HAGAN AUSTIN K & SUSAN K
3419 DREXEL RD
LOT 3
OPELIKA, AL 36801
ELECTRA ESTATES

- NOTES:
- SOURCE OF INFORMATION: PLAT BOOK 41 PAGE 65
 - DATE OF FIELD SURVEY: 2-15-2021
 - DATE OFFICE WORK COMPLETED: 2-16-2021
 - AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLE LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.
 - A PORTION OF THIS PROJECT LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ON THIS SITE PER FEMA 01081C0080 11/2/11.
 - SERVED BY OPELIKA WATER WORKS BOARD.
 - DRIVEWAY ACCESS TO CONFORM TO LEE COUNTY AND OPELIKA DESIGN CRITERIA.
 - THESE LOTS WILL BE SERVED BY SEPTIC SYSTEMS.
 - THIS IS A REDIVISION OF LOT 3, DICKSON S/D IN PB 40 PG 65.
 - LOT 51 IS LOCATED IN THE 100 YR FLOODPLAIN AND IS NON-BUILDABLE.
 - UTILITIES FOR THIS PROJECT ARE REQUIRED TO BE UNDERGROUND.
 - THE EASEMENT FOR POND ACCESS IS FOR POND MAINTENANCE ONLY AND IS NOT AN INGRESS, EGRESS EASEMENT FOR RECREATIONAL USE OF SAID PONDS.
 - PONDS TO BE MAINTAINED BY THE OWNERS OF THE LOTS THAT CONTAIN A PART OF THE POND AS DEPICTED.



VICINITY MAP
NOT TO SCALE

Seal	Drawn By:
	TG
	Scale:
	1" = 100'
File Name:	20-481-SD1-PH 2
	Date:
4-16-2021	

PRECISION SURVEYING	595 Dekalb Street Suite "D" Auburn, Alabama 36830 Phone (334) 821-0105
	Sheet Title:
	ANDREWS ESTATES PHASE 2 Being a Redivision of DICKSON SUBDIVISION, LOT 3 Redivision of Lots 38 and 39 And Future Development
	OWNER/DEVELOPER: MOORE'S CONSTRUCTION LLC 402 HILFLO AVE. OPELIKA, AL 36801 (OWNER OF LOTS 28, 29, 49 AND 50)

ANDREWS ESTATES PHASE 3
Being a Redivision of
DICKSON SUBDIVISION, LOT 3
A REDIVISION OF FUTURE DEVELOPMENT
SECTIONS 27 & 28 T 20 N R 27 E
OPELIKA LEE COUNTY ALABAMA

LEGEND
(M) = MEASURED
(R) = RECORDED
OTF = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
A-788 = PRECISION SURVEYING
A-788 = IRON PIN FOUND
1/2" REBAR SET (CA-788)
HUB SET
CALCULATED POINT
CONCRETE MONUMENT
POWER POLE
WIRE FENCE
WOOD FENCE
CHAIN LINK FENCE
TREC = TALLAPOOSA RIVER ELEC. COOP.

43.03.05.21.0.000.006.000
OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY
P.O. BOX 965
OPELIKA, AL 36803

43.03.05.22.0.000.001.000
OPELIKA INDUSTRIAL DEVELOPMENT AUTHORITY
P.O. BOX 965
OPELIKA, AL 36803

43.03.08.27.0.000.009.009
PEOPLES THOMAS BEJAMIN & CHRISTY
2070 ANDREWS RD
OPELIKA, AL 36804

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 _____, 2021.

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

State of Alabama
Lee County
I, Timothy J. Moore, as owner of Moore's Construction LLC, owner of the real property shown on this plot, hereby join in the statement of Michael T Maher, and certify that it was and is its purpose to subdivide the lands so plotted as shown.

In witness whereof, I Timothy J. Moore, as owner of Moore's Construction LLC, have hereunto set my hand on this the ____ day of _____, 2021.

Timothy J. Moore, Owner of Moore's Construction LLC

State of Alabama
Lee County
I, the undersigned authority, a Notary Public in and for said county, do hereby certify that Timothy J. Moore, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 2021.

Notary Public: _____

My commission expires: _____

Approved by the Opelika City Planning Director, Opelika, AL:
Director: _____ Date: _____

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

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

Reviewed by Opelika Power Services, Opelika, Alabama:
Opelika Power Services: _____ Date: _____

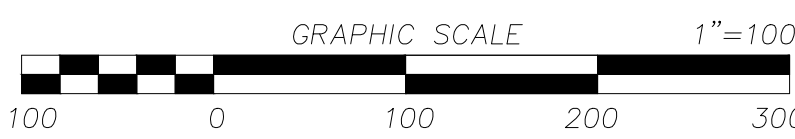
Approved by the Opelika Public Works Department:
Public Works Director: _____ Date: _____

STATE OF ALABAMA
LEE COUNTY
The lot(s) on this plot are subject to approval or deletion by the Lee County Health Department (LHD). No representation is made that any lot on this plot will accommodate an On-Site Sewage System (OSS). The appropriateness of a lot for wastewater (sewage) treatment and disposal shall be determined when an application is submitted. If permitted, the lot approval may contain certain conditions which restrict the use of the lot or obligate owners to special maintenance and reporting requirements, and these are on file with said Health Department and are made a part of this plot as if set out hereon.

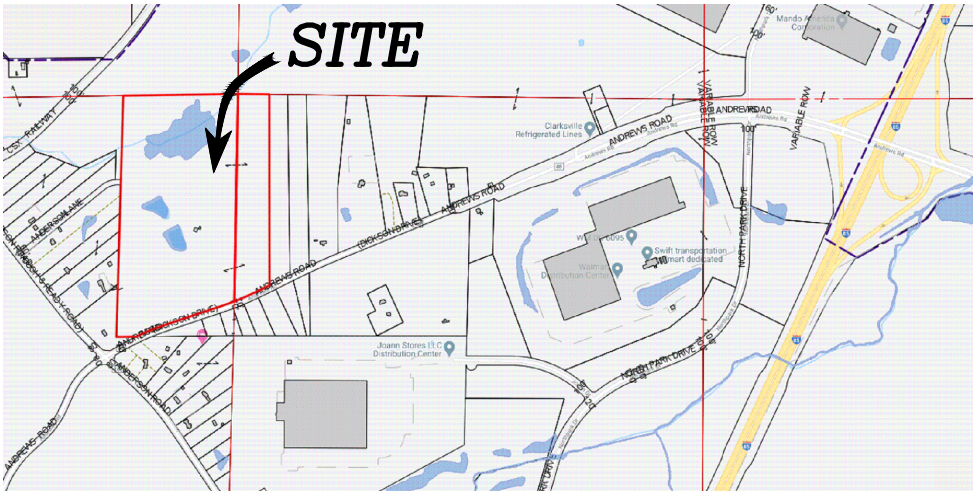
This the ____ day of _____, 2021.

Health Officer
County of Lee, Alabama

Curve Table			
Curve #	Radius	CHORD DIRECTION	CHORD LENGTH
C1	30.00	S69°01'01"E	43.43
C2	530.00	N23°58'38"W	24.69
C3	530.00	N30°21'41"W	93.30
C4	532.44	N44°03'44"W	159.84
C5	20.00	S08°54'19"E	28.28
C6	330.00	N33°28'56"E	53.46
C7	330.00	N20°36'40"E	94.04
C8	330.00	N04°31'33"E	90.64
C9	330.00	N05°38'53"W	26.26
C10	55.00	N40°58'32"W	59.99
C11	55.00	S73°00'34"W	59.86
C12	55.00	S03°42'55"E	76.08
C13	55.00	S60°32'32"E	24.88
C14	30.00	N40°46'13"W	32.54
C15	270.00	N15°04'59"E	211.09
C16	20.00	N83°05'41"E	28.28
C17	54.87	N12°59'44"W	34.06
C18	55.00	N74°18'50"W	75.42
C19	55.00	S29°12'48"W	60.21
C20	55.00	S41°25'55"E	66.90
C21	55.00	N86°07'51"E	28.43
C22	470.00	N44°20'43"W	123.67
C23	470.00	N29°42'50"W	115.72
C24	4193.52	N64°21'29"E	35.96
C25	30.00	N21°48'25"E	42.02
C26	30.00	N12°48'25"E	42.02
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C29	2899.69	S66°51'20"W	140.36
C30	2899.69	S64°52'15"W	60.50



- NOTES:
- SOURCE OF INFORMATION: PLAT BOOK 41 PAGE 65
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 - DATE OFFICE WORK COMPLETED: 2-16-2021
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VICINITY MAP
NOT TO SCALE

Seal

Drawn By:
MTM

Scale:
1" = 100'

File Name:
20-481-SD1-PH 3

Date:
8-11-22

PRECISION SURVEYING

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

Sheet Title:
ANDREWS ESTATES PHASE 3
Being a Redivision of DICKSON SUBDIVISION, LOT 3
Redivision of Future Development



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



3034

DEADLINE: 8/2/22 MEETING: 8/23/22

SITE ADDRESS: Alana Ct. and Raiden Cir.

PROPERTY OWNER: Opelika Gateway Properties, LLC

APPLICANT/AUTHORIZED REPRESENTATIVE: Doug Ransom

MAILING ADDRESS: 160 Whitney St. Fayetteville, GA 30214

PHONE NUMBER: 770-471-4751

FAX NUMBER: N/A

EMAIL ADDRESS: lransom@drbggroup.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☐ FINAL ☒

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

☐ Annexation

☐ Rezoning

☐ Other _____

PARCEL INFORMATION

Subdivision Name: Wyndham Gates Subdivision Pod 3, Phase 1

Current Land Use: vacant

Current Zoning: PUD

Proposed use of the Subdivision: residential

☐ Residential

☐ Commercial

☐ Manufacturing/Industrial

☐ Office/Institutional

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

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

Fee: \$75.00

TOTAL = \$75.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Wyndham Gates Subdivision Pod 3, Phase 1 Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE: Doug Ransom Senior Land Development Manager

(PRINT NAME) Doug Ransom

DATE 8/02/2022

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

Meeting Date: August 23, 2022

Agenda Item #: B-4

Subdivision: Wyndham Gates Subdivision, POD 3, Townhomes

Action Requested: Final Approval

Location of Property: Emory Lane

Property Owner(s): Opelika Gateway Properties, LLC,
Builders Professional Group, authorized representative.
Brett Basquin, Foresite Group, representative

Current Land Use: Undeveloped

Current Zoning: Wyndham PUD (Planned Unit Development)

Staff Comments:

The applicant is requesting final approval for 10 lots of a 64-lot subdivision. Preliminary plat approval for the 64-lot subdivision was granted at the January 2021 Planning Commission meeting. Eight of the 10 lots are townhome lots. Parcel A (1.37 acres) and Parcel B (8.98 acres) are the other two lots that will be subdivided at a later time into 56 townhome lots. After the 56 townhome lots are platted, a 23,090 sf area of Parcel A and a 3.69-acre portion of Parcel B will be preserved as open space.

The eight townhome units including the front and rear yard on a single lot will be sold. The two-story townhomes are approximately 1,700-1,800 SF (excluding 2 car garages). The townhome lots meet the minimum yard size requirement with one yard being at least 50% of the first floor size of a unit. The lots also exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The proposed lot widths are 25 feet. The lot area for six lots are 2,000 square feet (sf) and two lots are 3,000 sf. Each unit has two parking spaces as required. Underground utilities are installed, and sidewalks are installed along the streets. The rear lot line of each townhome unit is adjacent to open space. A note needs to be added to plat that the open space will be maintained by the Wyndham Gate Pod 3 HOA (Homeowner's Association). The exterior building material is a mix of brick and hardie board

with vinyl soffit and fascia.

The townhomes setback requirement needs to be determined and stated in the notes. The minimum setback along Emory should be 20 feet to correspond to the 20-foot minimum setback for the single-family homes on the north side of Emory Lane.

A landscape plan for the 8-unit townhome group meets minimum requirements concerning base and parking lot points. A landscape plan (construction drawings) includes a residential buffer as required adjacent to the townhome unit on Lot 155; a residential buffer is also shown along Marvyn Parkway as required. The buffer provides a visual barrier between the different type of dwellings and motorists on Marvyn Parkway.

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

- 1. Sidewalks required on at least one side of the street.**
- 2. All utilities installed underground.**
- 3. Add landscaping as shown on landscape plan for the eight townhome group and residential buffers as shown on construction drawings.**
- 4. Add the minimum building setback requirement on the final plat.**
- 5. Add a note on plat providing the uses allowed in the open space lots and who will own and maintain the open space lots.**
- 6. Exterior materials installed must follow Gateway cladding standards (Section 7.6).**
- 7. Add Tract 4 to the final plat as shown on the revised preliminary plat - "Tract 4 Remainder not surveyed at this time, 32.51 Acres ±"**

Engineering Department Report

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

Opelika Utilities Board Report

Opelika Utilities has not yet conducted a final inspection. Opelika Utilities does not recommend final approval until the above conditions are met.

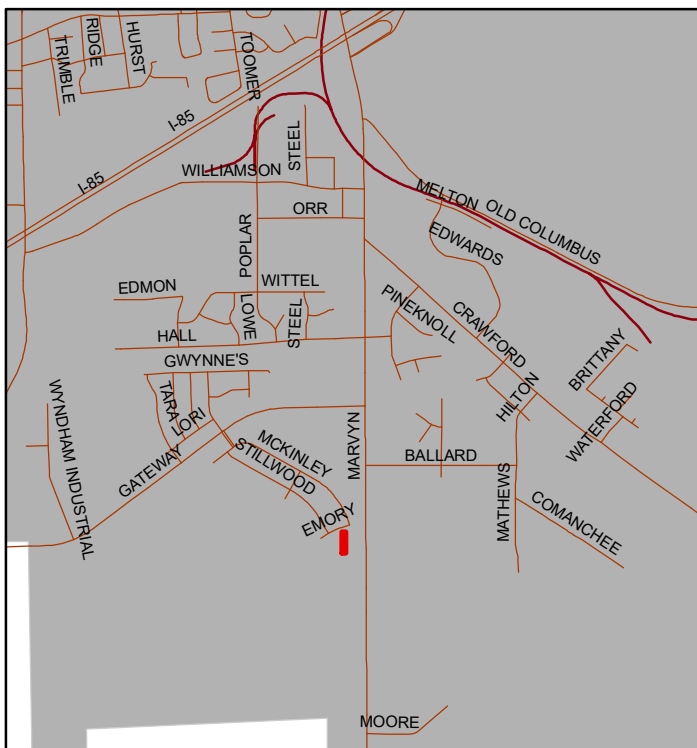
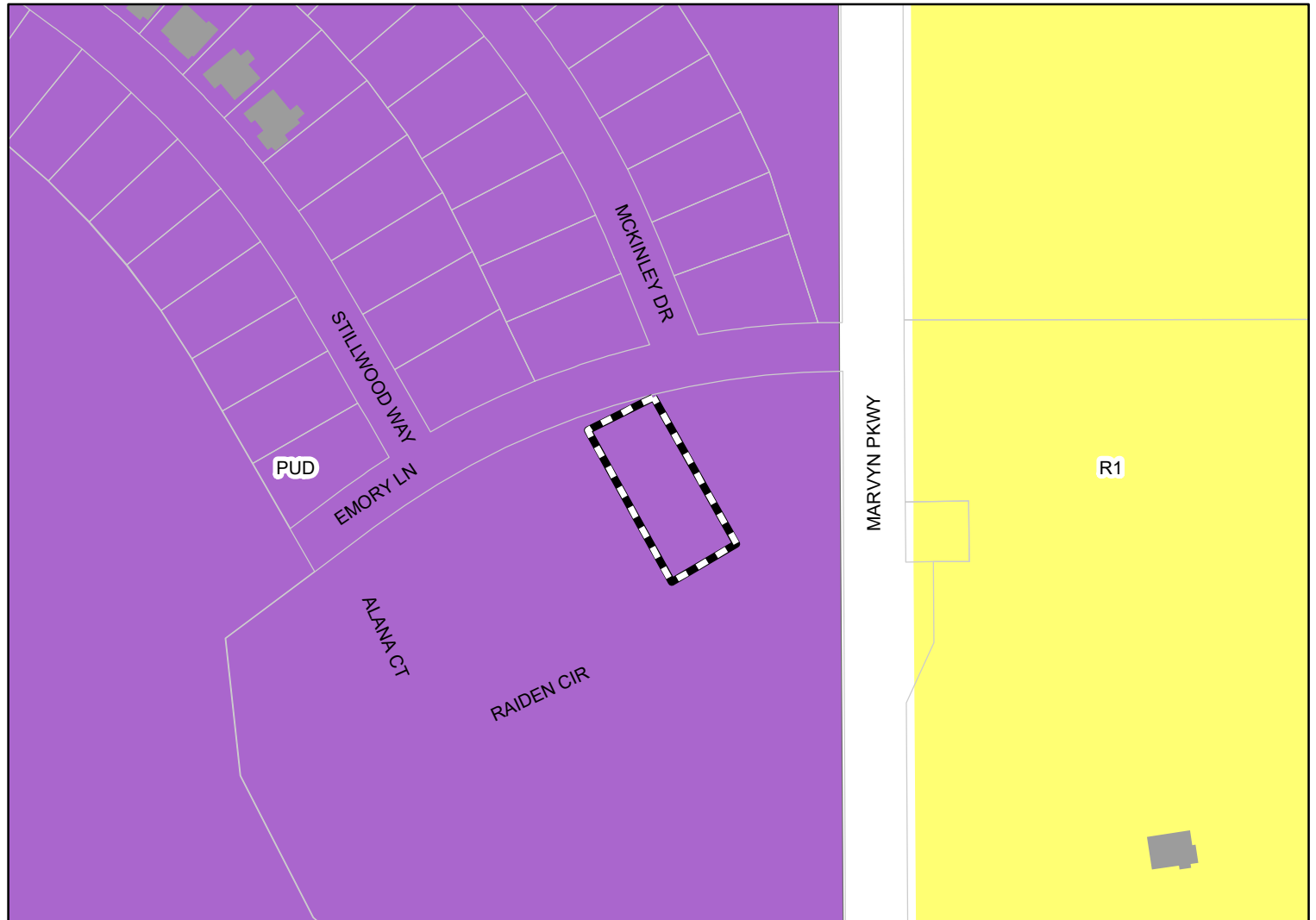
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

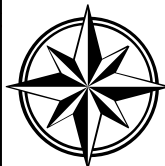
WYNDHAM GATES POD 3 SUBDIVISION

EMORY LANE

FINAL PLAT APPROVAL, B-4



The applicant is requesting final approval for 8 townhome lots. The subdivision is in the Wyndham Gate PUD zoning district.



Subject Property

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

WYNDHAM GATES SUBDIVISION,
POD 3
SEC. 30 T 19 N Rg 27E
AUBURN LEE COUNTY ALABAMA
SCALE: 1"=50'
JUNE 17, 2022
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922



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

3029

DEADLINE: 8/2/22 MEETING: 8/23/22SITE ADDRESS: Cannon Gate DrivePROPERTY OWNER: SMB Land, LLCAPPLICANT/AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.MAILING ADDRESS: 223 South 9th St. Opelika, AL 36801PHONE NUMBER: 334-745-7026FAX NUMBER: 334-745-4367EMAIL ADDRESS: brice@barrett-simpson.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL
Does the subdivision require any other official action by the City? No☐ Annexation☐ Rezoning☐ Other _____**PARCEL INFORMATION**Subdivision Name: Cannon Gate 3BCurrent Land Use: VacantCurrent Zoning: PUDProposed use of the Subdivision: Single-family Residential☒ Residential☐ Commercial☐ Manufacturing/Industrial☐ Office/InstitutionalNumber of Lots: 60 x \$3.00 = \$N/ANumber of APO: N/A x \$7.00 = \$N/A
(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) Cannon Gate 3B 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

6/30/22

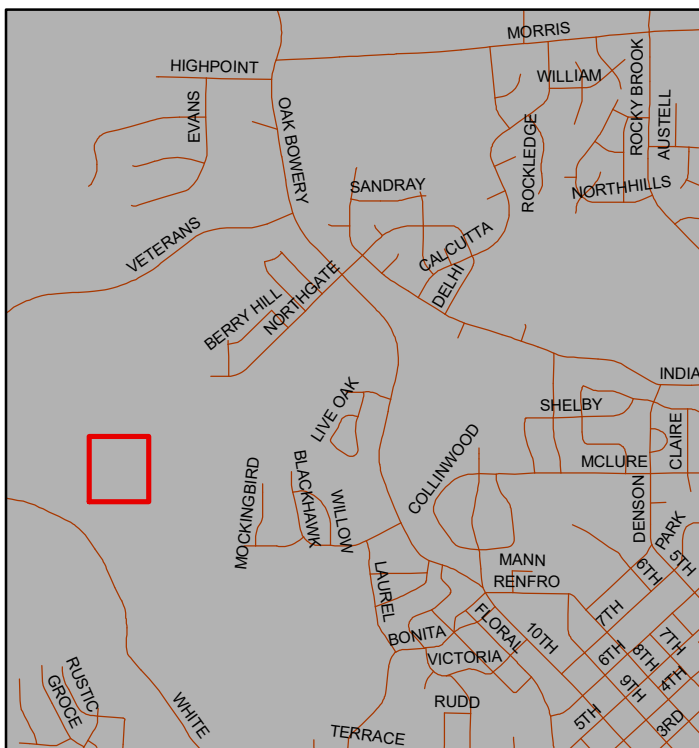
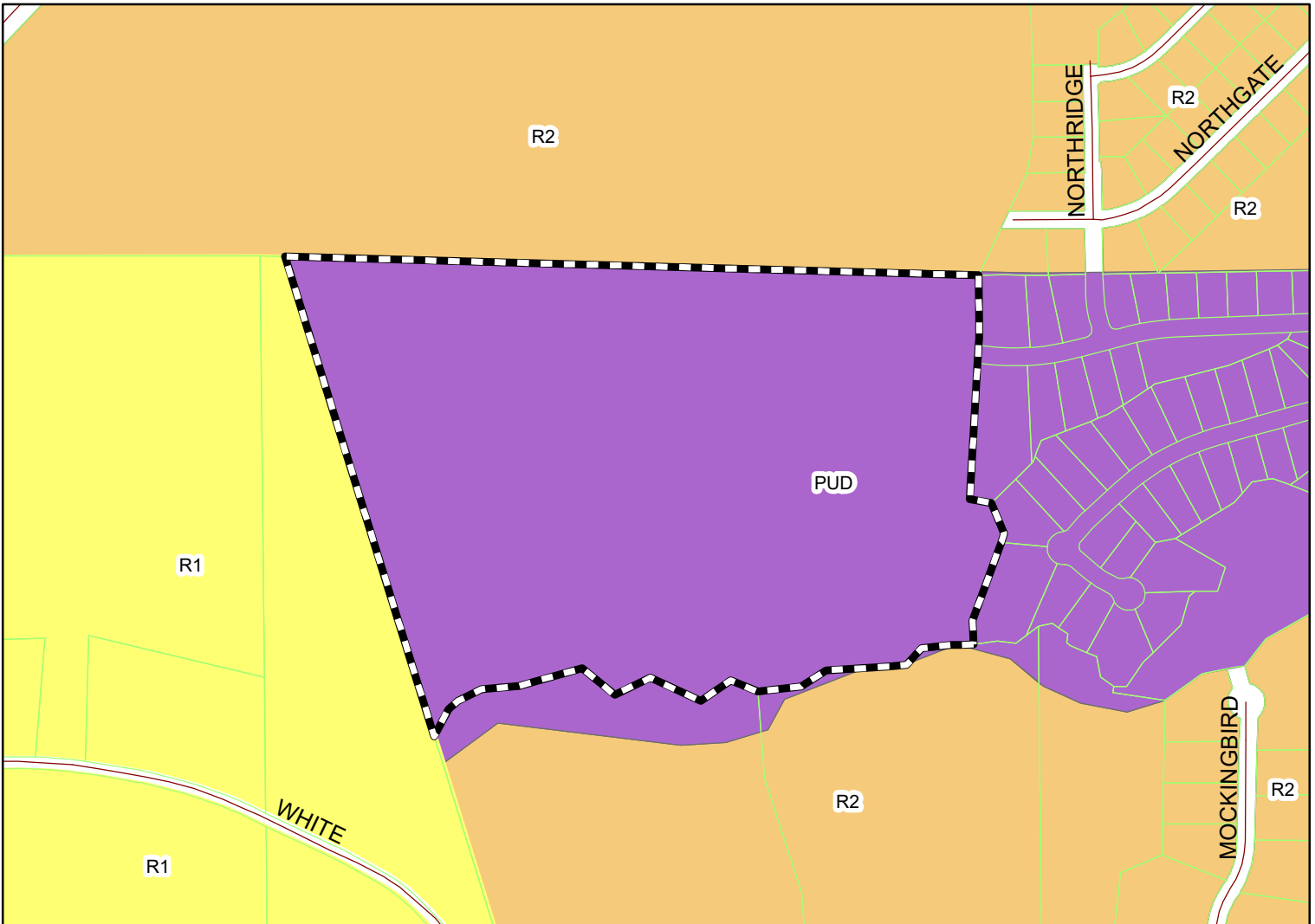
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE

CANNON GATE PHASE 3B SUBDIVISION

CANNON GATE DRIVE

FINAL APPROVAL, B-5



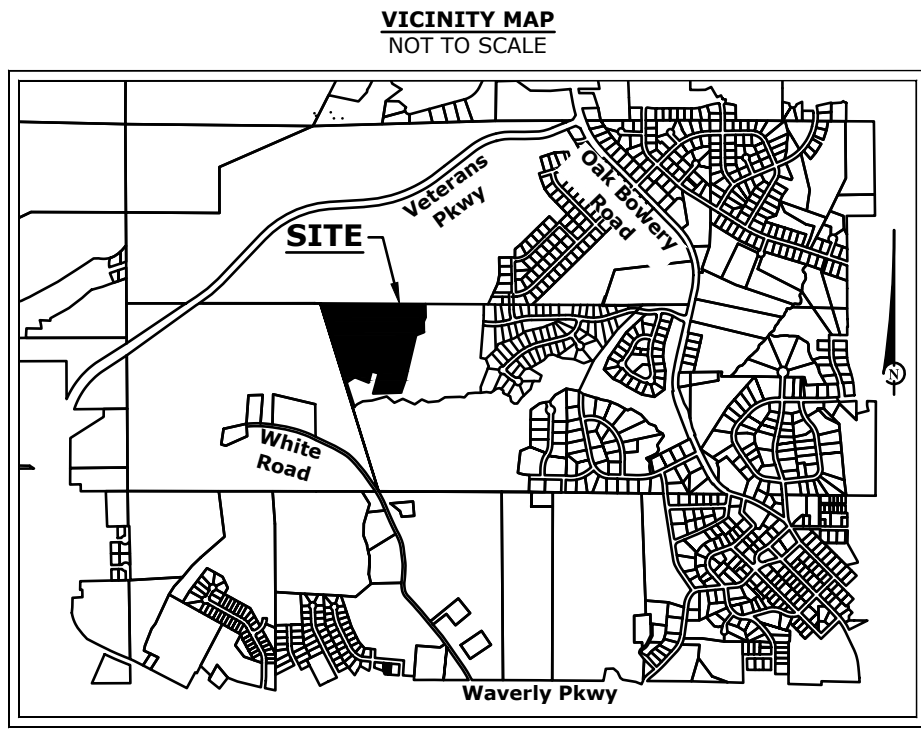
The applicant is requesting final approval for a 60 lot subdivision for single family home lots. The property is located in the Cannon Gate PUD zoning district.



Subject Property

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

Drawing Name: S:\2018\19-0254-SMB - Cannongate Phase 3B.dwg Last Modified: Jun 29, 2022 - 2:14pm by bahler



FINAL PLAT

CANNON GATE

Phase 3B

A REDIVISION OF LOT 85 OF CANNONGATE PHASE 3A

Being A Part of Section 2, Township 19 North, Range 26 East,
Opelika, Lee County, Alabama

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

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: _____

DEDICATION

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

Nick Howard
Chief Financial Officer

STATE OF ALABAMA
COUNTY OF LEE

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

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

(Seal)

Notary Public
My Commission Expires _____

NOTES

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey:
-Cannongate Phase 3A, Plat Book 46, Page 188, Probate Office, Lee County, Alabama.
-Deed Book 2621, Page 235, Probate Office, Lee County, Alabama.
- All bearings, distances, and curve information shown were measured to be the same as shown on plat of record (Plat Book 46, Page 188).
- According to the FEMA FIA NEIP Flood Insurance Rate Map (FIRM), Map No. 01081C0066G, effective November 02, 2011, the subject property is located:
-Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance of floodplain.
-Zone AE - Areas determined to be in the 1% annual chance flood (100-year flood), Base Flood Elevations determined.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There is a ten (10) foot drainage and utility easement along the right-of-way of each lot.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
-Total Number of Lots: 60
-Largest Lot: Lot 22 - 1.32 Acres (57,390 Sq Ft.)
-Smallest Lot: Lots 38 - 0.26 Acres (11,372 Sq Ft.)
-29.90 Acres Total (1,302,621 Sq Ft.)
- Building Setbacks - PUD
-Front: 25'
-Rear: 25'
-Side: 7'
-Side Street: 20'

Line Table		
Line #	Length	Direction
L1	65.87'	S23° 35' 15"W
L2	32.19'	S89° 12' 35"W
L3	7.40'	N19° 04' 00"W
L4	47.83'	S18° 14' 52"E
L5	5.00'	N89° 12' 35"E

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	51.71'	211.00'	S82° 11' 23"W	51.58'
C2	6.75'	211.00'	S74° 15' 09"W	6.75'
C3(t)	58.46'	211.00'	S81° 16' 22"W	58.27'
C4	41.71'	151.00'	S81° 14' 57"W	41.58'
C5	16.89'	15.00'	N58° 35' 20"W	16.01'
C6	73.43'	57.00'	N63° 14' 47"W	68.46'
C7	52.95'	57.00'	S53° 14' 10"W	51.06'
C8	92.90'	57.00'	S20° 03' 58"E	82.95'
C9(t)	219.28'	57.00'	S43° 27' 04"W	106.98'
C10	2.92'	15.00'	S61° 11' 06"E	2.91'
C11	15.01'	15.00'	S26° 46' 09"E	14.47'
C12(t)	18.02'	15.00'	N32° 20' 29"W	16.96'
C13	45.28'	316.20'	S02° 01' 40"E	45.24'
C14	69.90'	316.20'	S12° 27' 46"E	69.76'
C15	1.49'	316.20'	S18° 55' 53"E	1.49'
C16(t)	116.67'	316.20'	S08° 29' 46"E	116.01'
C17	2.18'	295.00'	S19° 16' 42"E	2.18'
C18	69.11'	295.00'	S26° 12' 06"E	68.95'
C19	66.37'	295.00'	S39° 21' 33"E	66.24'
C20	66.38'	295.00'	S52° 15' 03"E	66.24'
C21	66.38'	295.00'	S65° 08' 32"E	66.24'
C22	16.19'	295.00'	S73° 09' 36"E	16.19'
C23(t)	286.61'	295.00'	S46° 53' 58"E	275.47'
C24	14.39'	15.00'	S47° 14' 28"E	13.85'
C25	59.12'	55.00'	S50° 32' 34"E	56.31'
C26	57.39'	55.00'	N68° 46' 19"E	54.82'
C27	76.18'	55.00'	N00° 47' 56"W	70.23'
C28(t)	192.68'	55.00'	N59° 53' 11"E	108.21'
C29	9.38'	15.00'	N22° 33' 42"W	9.23'
C30	5.06'	15.00'	N05° 00' 48"E	5.03'

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C31(t)	14.44'	15.00'	S12° 54' 07"E	13.89'
C32	50.91'	495.00'	N11° 43' 37"E	50.89'
C33	83.17'	495.00'	N03° 58' 01"E	83.08'
C34(t)	134.08'	495.00'	N06° 54' 48"E	133.67'
C35	108.15'	445.00'	S06° 06' 56"W	107.88'
C36	12.39'	445.00'	S13° 52' 31"W	12.39'
C37(t)	120.54'	445.00'	N06° 54' 47"E	120.17'
C38	53.80'	34.00'	S59° 56' 06"W	48.36'
C39	112.16'	245.00'	N61° 37' 00"W	111.19'
C40	125.86'	245.00'	N33° 47' 03"W	124.49'
C41(t)	238.03'	245.00'	S46° 53' 58"E	228.78'
C42	21.99'	14.00'	N25° 55' 50"E	19.80'
C43	21.40'	15.00'	S68° 11' 55"E	19.63'
C44	52.33'	55.00'	S54° 34' 54"E	50.38'
C45	81.41'	55.00'	N55° 45' 29"E	74.18'
C46	47.98'	55.00'	N11° 38' 20"W	46.48'
C47	47.15'	55.00'	N61° 11' 28"W	45.72'
C48	20.09'	55.00'	S83° 47' 01"W	19.98'
C49(t)	248.97'	55.00'	N22° 59' 46"E	84.66'
C50	21.99'	14.00'	N64° 04' 10"W	19.80'
C51	74.12'	266.20'	N11° 05' 22"W	73.88'
C52	16.19'	266.20'	N00° 31' 09"W	24.09'
C53(t)	98.22'	266.20'	S08° 29' 46"E	97.67'
C54	22.80'	15.00'	N45° 37' 06"E	20.67'
C55	23.56'	15.00'	S45° 50' 32"E	21.21'
C56	23.56'	15.00'	N44° 09' 28"E	21.21'
C57	43.71'	211.00'	N83° 13' 39"E	43.64'
C58	14.57'	211.00'	N75° 18' 50"E	14.57'
C59(t)	58.28'	211.00'	N81° 14' 57"E	58.10'
C60	41.84'	151.00'	N81° 16' 22"E	41.70'

SURVEYOR'S CERTIFICATE

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

For Review Only

Jonathan A. Ham, PLS Date: 06/29/2022

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

FIELD BY: APD/MER
DRAWN BY: BES
FIELD DATE: 05/03/2022
DRAW DATE: 06/29/2022

LEGEND

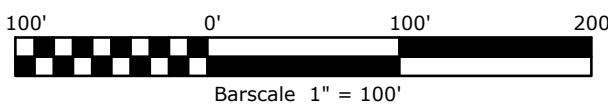
- 1/2" Rebar Found - Yellow Cap Stamped PRECISION CA-788-S
- 1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
- Concrete Monument Found
- Calculated Point
- DB: Deed Book
- PB: Plat Book
- PG: Page
- (R) Record Distance or Bearing
- POC Point of Commencement
- POB Point of Beginning
- D.U.E. Drainage & Utility Easement
- D.E. Drainage Easement
- Not to Scale

LAND SURVEYOR

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

DEVELOPER

SMB Land, LLC
13 North 8th Street
Opelika, AL 36801



Barscale 1" = 100'



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

706 12th STREET, PHOENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BRIDG STREET, BIRMINGHAM, AL 35207 (PH 334-687-4257, FAX 334-687-4826)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)



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

3030



DEADLINE: 8/2/22 ~~7/5/22~~ MEETING: 8/23/22 ~~7/26/22~~

SITE ADDRESS: McCoy St. & E. Johnson Ave.
PROPERTY OWNER: Fox Opelika, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Blake Rice, Barrett-Simpson, Inc.
MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801
PHONE NUMBER: 334-745-7026 **FAX NUMBER:** 334-745-4367
EMAIL ADDRESS: brice@barrett-simpson.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Wildwood (formerly The Park)

Current Land Use: Vacant

Current Zoning: C2

Proposed use of the Subdivision: Single-family Residential

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

Number of Lots: 77 x \$3.00 = \$ N/A

Number of APO: N/A x \$7.00 = \$ N/A
(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) Wildwood (formerly The Park) Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

OWNERS/AUTHORIZED

REPRESENTATIVE SIGNATURE: Blake Rice

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

6/29/22

DATE

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Subdivision: The Woods ~~Wildwood~~ Subdivision (formerly The Park S/D)

Agenda Item #: B-6

Action Requested: Final Approval

Location of Property: McCoy Street and East Johnson Avenue

Property Owner(s): Fox Opelika, LLC
Blake Rice, Barrett-Simpsons, Inc, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-S

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C00088G –Flood Zone
“X” - Area is outside the 0.2% annual chance flooding.

Staff Comments:

A similar plat was granted preliminary approval at the November 2019 Planning Commission (PC) meeting; a year elapsed, and the plat expired. The applicant in February 2021, resubmitting for preliminary approval that includes revisions to the November 2019 plat. At the November 2019 meeting a total of 74 lots were proposed (70 residential lots); at the February 2021, meeting 78 lots are proposed (74 residential lots). There are no changes to the lot sizes of the two future commercial lots (2.1 acres & 1.8 acre) that were proposed on the plat presented at the November 2019 PC meeting and the February 2021, PC meeting. (At a later time, when development is proposed for the commercial lots, the development is required to follow requirements of the Gateway Corridor Overlay District.) On the November 2019 preliminary plat two amenity lots were proposed; in February 2021 revised plat two amenity lots are shown, but the lot size of one amenity lot decreased. This request is for a final approval of the February 2021, preliminary plat request. This report is based on the February 2021, preliminary report.

The plat is in a C-2, GC-P zoning district. For residential developments in the C-2 zone, the R-5 zoning district requirements apply. Therefore, the minimum 7,500 square foot lot size, and minimum 60-foot lot width are required; Minimum building setbacks are 25 feet front yard, 10 feet side yard, and 25 feet rear yard. All 73 residential lots meet the minimum lot size and lot width requirements. The lots range from 8,096 square feet to 20,783 sf; lot width is at least 60 feet at property line or must be 60 feet at the 25’ minimum building setback line. A note was

added to plat that the current R-5 minimum setbacks apply for residential lots in a C-2 zoning district.

The revised February 2021, plat decreases the 1.27 acre “HOA Parcel 1” amenity lot (homeowners association parcel) as shown on the November 2019 plat to 22,200 square feet; the decrease of the lot adds two residential lots, Lot 37, and Lot 38. The plat presented today shows Lot 14 as Common (new lot created by adding right-of-way access from the development to East Johnson Avenue) and Lot 75 as Common (previously called HOA Parcel 1). The HOA Parcel 2 (existing lake) shows on the February 2021, plat is not shown as part of this development for the final plat. Add a note to state who is responsible to build and maintain open space/common/amenity areas/HOA properties, and detention ponds.

The notable revision proposed on the February 2021, plat is removal of the alternative north to south access street for the residential lots that ties into East Johnson Avenue and then Columbus Parkway. The plat in February 2021, provides one access point from McCoy Street to the 74 residential lots. The November 2019 plat provides a north to south access for 70 residential lots to East Johnson Avenue/Columbus Parkway and an access to McCoy Street on the west end of the development. Today’s revised plat shows lot 15, 16, and 17 take access off a connector street shown as Swift Street to East Johnson Avenue and Lot 14 is 7,914 square feet creating a “Common” lot. Lot 75 is 19,144 square feet and labeled a “Common”. Staff recommends that sidewalks be placed on at least one side of all streets and utilities installed underground.

Staff recommends final plat approval subject to the following:

- 1. There is already a Wildwood Subdivision in Opelika. Please consider a different name to avoid confusion. (name The Woods has been selected)**
- 2. Install underground utilities and sidewalks on at least one side of all streets.**
- 3. Add a note who is responsible to build and maintain open space/common/amenity areas/ HOA properties, and detention ponds.**
- 4. Add the owner/developer’s name and address.**

Engineering Department Report

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

- All drainage structures, aggregate base and 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.

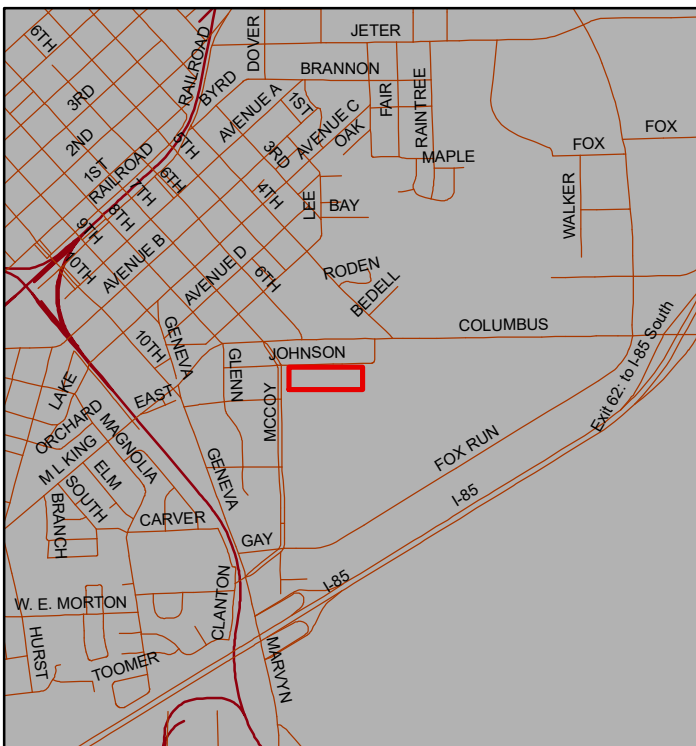
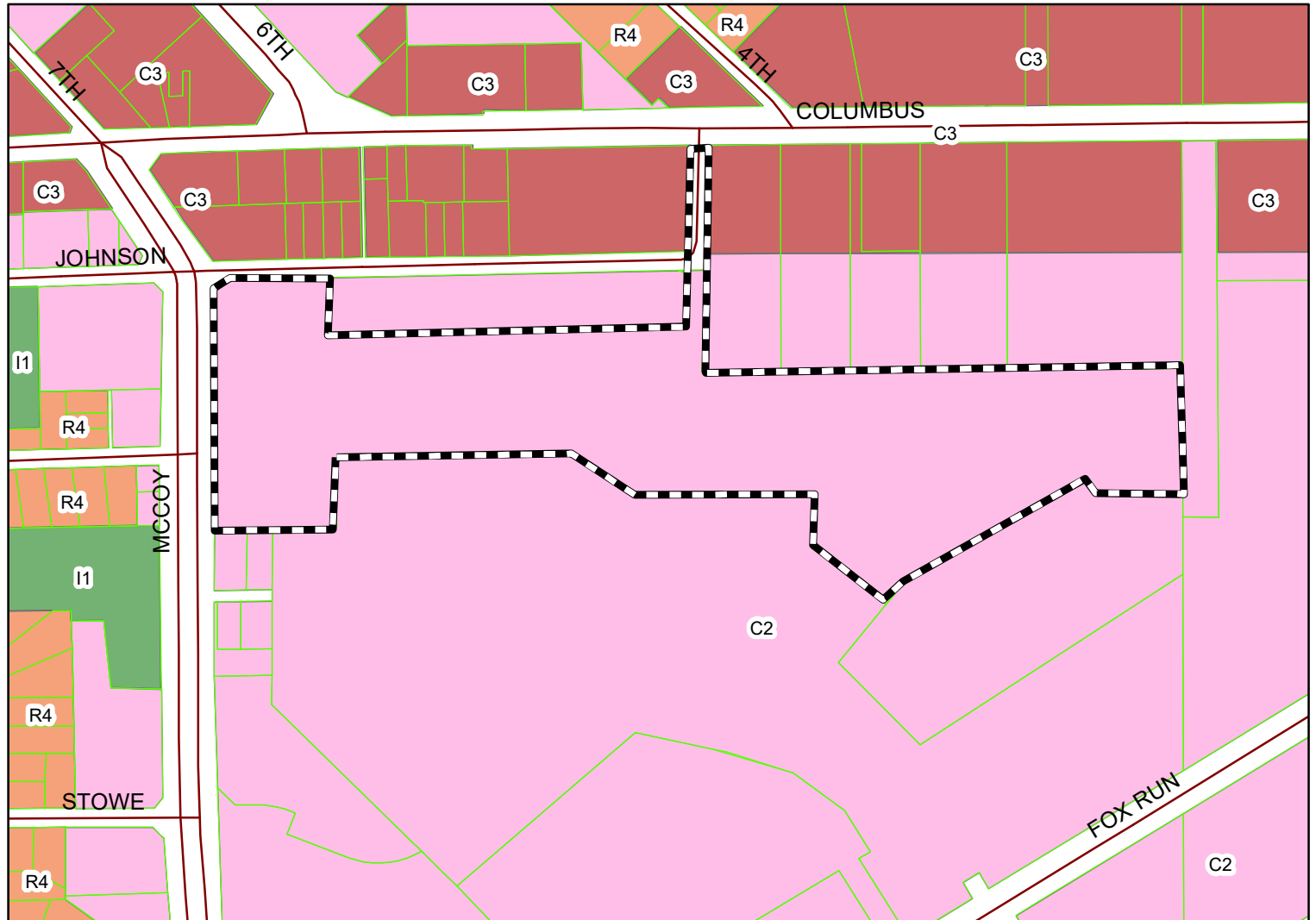
Opelika Utilities Board Report

Opelika Utilities has not yet conducted a final inspection. Opelika Utilities does not recommend final approval until the above conditions are met.

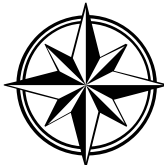
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

WILDWOOD SUBDIVISION MCCOY STREET & EAST JOHNSON AVENUE FINAL APPROVAL, B-6



The applicant is requesting preliminary approval for 74 single family home lots and two commercial lots. The subdivision is located in a C-2, GC-S 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

PELIKA 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: _____

DEDICATION

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

ACKNOWLEDGEMENT STATE OF ALABAMA LEE COUNTY

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

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

Notary Public

My Commission Expires _____

PLAT OF

WILDWOOD

A REDIVISION OF TRACT "A-9" OF A RE-SUBDIVISION OF TRACT "A-1-A" OF
FOX RUN PARKWAY DEVELOPMENT, LLC SUBDIVISION

BEING A PART OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

SURVEYOR'S CERTIFICATE

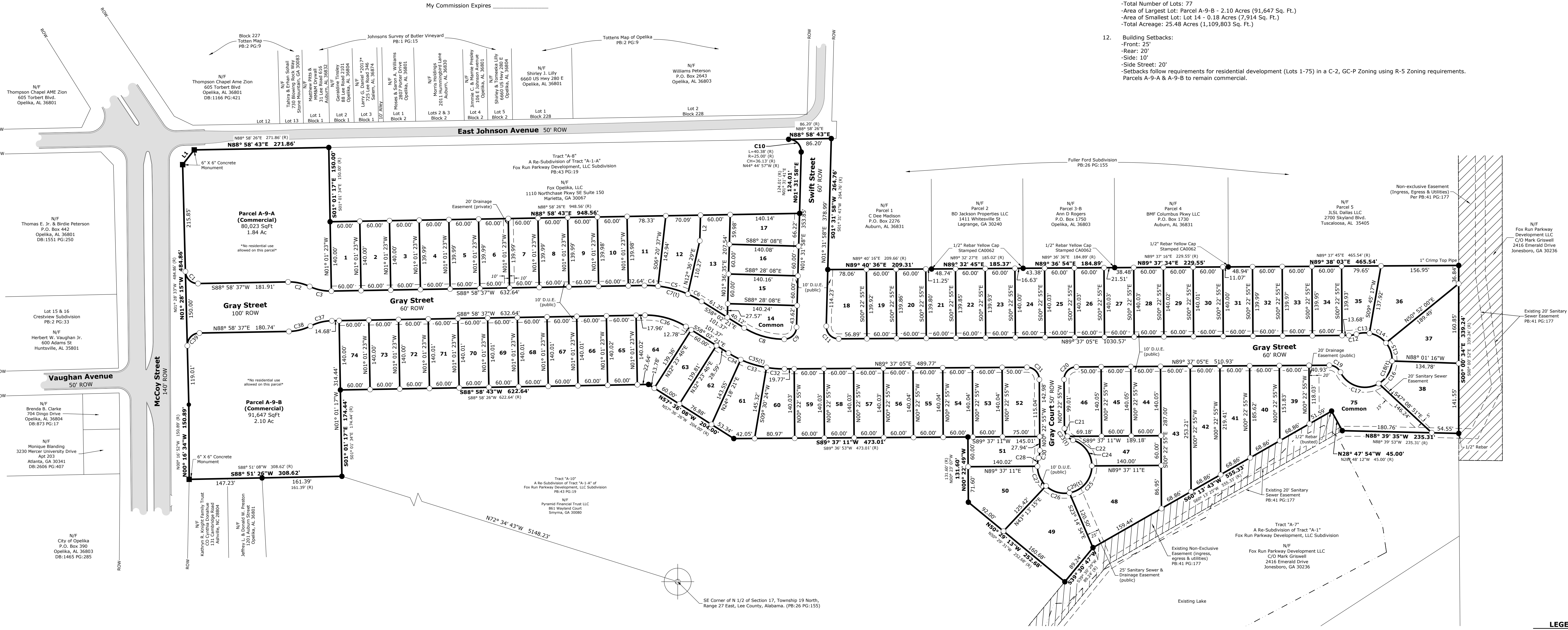
I, Jonathan A. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

For Review Only

Jonathan A. Ham, PLS Date: 06/28/2022
Alabama License No. 34761

NOTES:

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey: A Re-Subdivision of Tract "A-1-A" of Fox Run Parkway Development, LLC Subdivision, Plat Book 43, Page 19, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 0181C088G, effective November 2, 2011, the subject property is located: -Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
- All common areas shown on this plat shall be owned/maintained by the Homeowners Association adopted and/or established with this plat.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There is a ten (10) foot drainage and utility easement along the right-of-way of each lot.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
-Total Number of Lots: 77
-Area of Largest Lot: Parcel A-9-B ~ 2.10 Acres (91,647 Sq. Ft.)
-Area of Smallest Lot: Lot 14 ~ 0.18 Acres (7,914 Sq. Ft.)
-Total Acreage: 25.48 Acres (1,109,803 Sq. Ft.)
- Building Setbacks:
-Front: 25'
-Rear: 20'
-Side: 10'
-Side Street: 20'
-Setbacks follow requirements for residential development (Lots 1-75) in a C-2, GC-P Zoning using R-5 Zoning requirements. Parcels A-9-A & A-9-B to remain commercial.

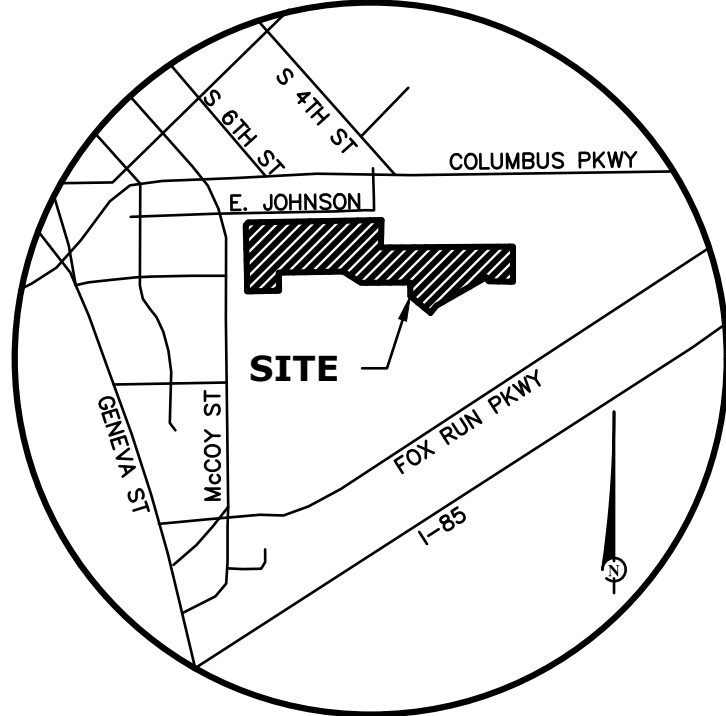


LEGEND

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

VICINITY MAP

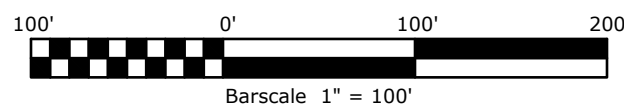
not to scale



Lot Table			Lot Table			Lot Table			Lot Table			Lot Table		
Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage
1	0.19	8,400	14	0.18	7,914	27	0.19	8,402	40	0.23	10,123	53	0.19	8,402
2	0.19	8,400	15	0.19	8,412	28	0.19	8,401	41	0.28	12,151	54	0.19	8,402
3	0.19	8,400	16	0.19	8,407	29	0.19	8,401	42	0.33	14,179	55	0.19	8,402
4	0.19	8,400	17	0.20	8,836	30	0.19	8,400	43	0.37	16,206	56	0.19	8,402
5	0.19	8,400	18	0.26	11,108	31	0.19	8,400	44	0.19	8,403	57	0.19	8,402
6	0.19	8,399	19	0.19	8,394	32	0.19	8,399	45	0.19	8,403	58	0.19	8,402
7	0.19	8,399	20	0.19	8,390	33	0.19	8,398	46	0.24	10,340	59	0.19	8,402
8	0.19	8,399	21	0.19	8,389	34	0.19	8,397	47	0.21	9,274	60	0.22	9,667
9	0.19	8,399	22	0.19	8,393	35	0.21	9,270	48	0.48	20,783	61	0.25	10,992
10	0.19	8,399	23	0.19	8,398	36	0.40	17,312	49	0.44	18,951	62	0.22	9,390
11	0.22	9,714	24	0.19	8,401	37	0.33	14,169	50	0.32	14,037	63	0.19	8,375
12	0.24	10,425	25	0.19	8,402	38	0.39	16,974	51	0.20	8,619	64	0.25	10,746
13	0.29	12,550	26	0.19	8,402	39	0.19	8,096	52	0.24	10,369	65	0.19	8,401

Curve Table					Curve Table					Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	39.07'	250.0'	N46° 14' 49"W	35.22'	C14	39.46'	55.00'	N59° 41' 22"W	38.62'	C27	44.50'	55.00'	S23° 36' 11"E	43.29'
C2	45.10'	100.00'	N78° 06' 07"W	44.72'	C15	39.46'	55.00'	N18° 34' 38"W	38.62'	C28	17.08'	55.00'	S08° 28' 19"W	17.02'
C3	45.10'	100.00'	N78° 06' 07"W	44.72'	C16	55.18'	55.00'	N30° 43' 13"E	52.89'	C29(t)	258.74'	55.00'	N62° 35' 58"E	78.09'
C4	27.44'	211.00'	N87° 17' 52"W	27.42'	C17	90.44'	55.00'	S73° 25' 57"E	80.59'	C30	15.49'	50.00'	S08° 29' 40"W	15.43'
C5	62.63'	211.00'	N75° 04' 08"W	62.40'	C18(t)	251.32'	55.00'	N22° 46' 10"E	83.14'	C31	39.27'	25.00'	S45° 22' 55"E	35.36'
C6	31.40'	211.00'	N62° 18' 08"W	31.37'	C19	27.95'	25.00'	S58° 21' 15"E	26.52'	C32	36.42'	211.00'	S85° 26' 16"E	36.37'
C7(t)	121.47'	211.00'	N74° 31' 52"W	119.80'	C20	39.27'	25.00'	N44° 37' 05"E	35.36'	C33	54.50'	211.00'	S73° 35' 38"E	54.35'
C8	85.23'	151.00'	N74° 12' 34"W	84.10'	C21	17.41'	25.00'	N20° 20' 06"W	17.06'	C34	28.19'	211.00'	S61° 52' 00"E	28.17'
C9	38.44'	25.00'	S45° 34' 36"W	34.76'	C22	13.91'	25.00'	N56° 13' 48"W	13.73'	C35(t)	119.11'	211.00'	S74° 12' 38"E	117.53'
C10	40.38'	25.00'	S44° 44' 39"E	36.13'	C23(t)	31.32'	25.00'	S36° 16' 37"E	29.32'	C36	86.93'	151.00'	S74° 31' 52"E	85.73'
C11	40.11'	25.00'	N44° 25' 28"W	35.94'	C24	68.96'	55.00'	N36° 15' 10"W	64.53'	C37	45.10'	100.00'	N76° 03' 22"E	44.72'
C12	15.49'	50.00'	S80° 44' 30"W	15.43'	C25	77.05'	55.00'	N39° 47' 49"E	70.90'	C38	45.10'	100.00'	N76° 03' 22"E	44.72'
C13	26.77'	55.00'	S85° 48' 36"W	26.51'	C26	51.16'	55.00'	S73° 25' 33"E	49.33'	C39	39.47'	25.00'	N43° 45' 11"E	35.49'

Line Table				Record (R)	
Line #	Length	Direction	N38° 08' 06"E	N38° 08' 06"E	37.87'
L1	37.87'	N38° 08' 06"E	N38° 08' 06"E	N38° 08' 06"E	37.87'
L2	51.80'	S01° 40' 11"W	N/A	N/A	N/A



PROJECT NO: 19-0214

SCALE: 1" = 100'

FIELD BY: CAJ
DRAWN BY: BES

FIELD DATE: 06/23/2022
DRAW DATE: 06/28/2022

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUPALIA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-1367)

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: _____

DEDICATION

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

ACKNOWLEDGEMENT STATE OF ALABAMA
LEE COUNTY

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

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

Notary Public

My Commission Expires _____

PLAT OF

THE WOODS

A REDIVISION OF TRACT "A-9" OF A RE-SUBDIVISION OF TRACT "A-1-A" OF
FOX RUN PARKWAY DEVELOPMENT, LLC SUBDIVISION

BEING A PART OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

SURVEYOR'S CERTIFICATE

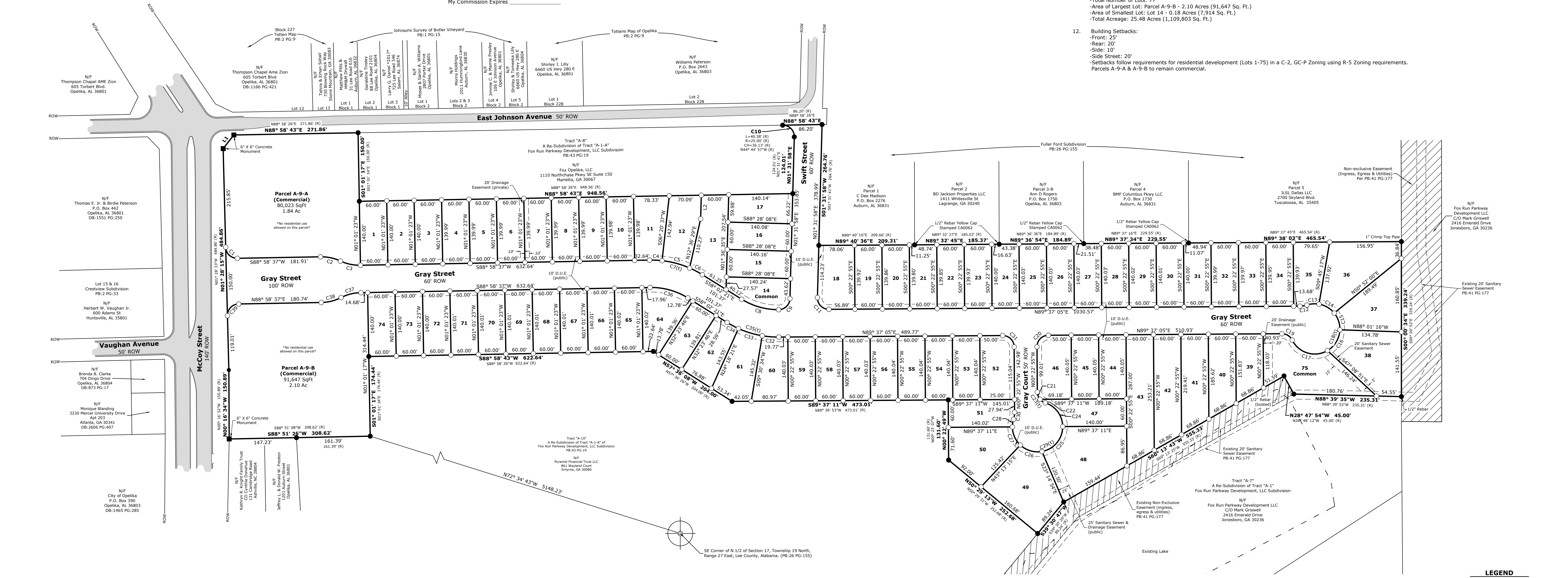
I, Jonathan A. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Jonathan A. Ham, PLS
Alabama License No. 34761 Date: 08/15/2022

For Review Only

NOTES:

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey: A Re-Subdivision of Tract "A-1-A" of Fox Run Parkway Development, LLC Subdivision, Plat Book 43, Page 19, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 0181C088G, effective November 2, 2011, the subject property is located: -Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
- All common areas shown on this plat shall be owned/maintained by the Homeowners Association adopted and/or established with this plat.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There is a ten (10) foot drainage and utility easement along the right-of-way of each lot.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
 - Total Number of Lots: 77
 - Area of Largest Lot: Parcel A-9-B ~ 2.10 Acres (91,647 Sq. Ft.)
 - Area of Smallest Lot: Lot 14 ~ 0.18 Acres (7,914 Sq. Ft.)
 - Total Acreage: 25.48 Acres (1,109,803 Sq. Ft.)
- Building Setbacks:
 - Front: 25'
 - Rear: 20'
 - Side: 10'
 - Side Street: 20'-Setbacks follow requirements for residential development (Lots 1-75) in a C-2, GC-P Zoning using R-5 Zoning requirements. Parcels A-9-A & A-9-B to remain commercial.



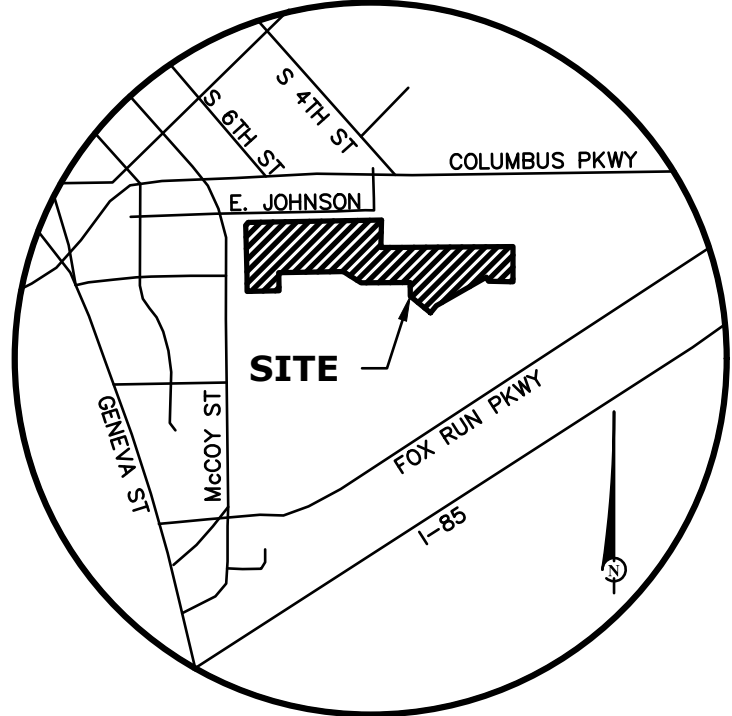
Lot Table			Lot Table			Lot Table			Lot Table			Lot Table			Lot Table		
Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage
1	0.19	8,400	14	0.18	7,914	27	0.19	8,402	40	0.23	10,123	53	0.19	8,402	66	0.19	8,401
2	0.19	8,400	15	0.19	8,412	28	0.19	8,401	41	0.28	12,151	54	0.19	8,402	67	0.19	8,401
3	0.19	8,400	16	0.19	8,407	29	0.19	8,401	42	0.33	14,179	55	0.19	8,402	68	0.19	8,401
4	0.19	8,400	17	0.20	8,836	30	0.19	8,400	43	0.37	16,206	56	0.19	8,402	69	0.19	8,401
5	0.19	8,400	18	0.26	11,108	31	0.19	8,400	44	0.19	8,403	57	0.19	8,402	70	0.19	8,401
6	0.19	8,399	19	0.19	8,394	32	0.19	8,399	45	0.19	8,403	58	0.19	8,402	71	0.19	8,400
7	0.19	8,399	20	0.19	8,390	33	0.19	8,398	46	0.24	10,340	59	0.19	8,402	72	0.19	8,400
8	0.19	8,399	21	0.19	8,389	34	0.19	8,397	47	0.21	9,274	60	0.22	9,667	73	0.19	8,400
9	0.19	8,399	22	0.19	8,393	35	0.21	9,270	48	0.48	20,783	61	0.25	10,992	74	0.19	8,401
10	0.19	8,399	23	0.19	8,398	36	0.40	17,312	49	0.44	18,951	62	0.22	9,390	75	0.44	19,144
11	0.22	9,714	24	0.19	8,401	37	0.33	14,169	50	0.32	14,037	63	0.19	8,375			
12	0.24	10,425	25	0.19	8,402	38	0.39	16,974	51	0.20	8,619	64	0.25	10,746			
13	0.29	12,550	26	0.19	8,402	39	0.19	8,096	52	0.24	10,369	65	0.19	8,401			

Curve Table					Curve Table					Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	39.07'	250.0'	N46° 14' 49"W	35.22'	C14	39.46'	55.00'	N59° 41' 22"W	38.62'	C27	44.50'	55.00'	S23° 36' 11"E	43.29'
C2	45.10'	100.00'	N78° 06' 07"W	44.72'	C15	39.46'	55.00'	N18° 34' 38"W	38.62'	C28	17.08'	55.00'	S08° 28' 19"W	17.02'
C3	45.10'	100.00'	N78° 06' 07"W	44.72'	C16	55.18'	55.00'	N30° 43' 13"E	52.89'	C29(t)	258.74'	55.00'	N62° 35' 58"E	78.09'
C4	27.44'	211.00'	N87° 17' 52"W	27.42'	C17	90.44'	55.00'	S73° 25' 57"E	80.59'	C30	15.49'	50.00'	S08° 29' 40"W	15.43'
C5	62.63'	211.00'	N75° 04' 08"W	62.40'	C18(t)	251.32'	55.00'	N22° 46' 10"E	83.14'	C31	39.27'	25.00'	S45° 32' 55"E	35.36'
C6	31.40'	211.00'	N62° 18' 08"W	31.37'	C19	27.95'	25.00'	S58° 21' 15"E	26.52'	C32	36.42'	211.00'	S85° 26' 16"E	36.37'
C7(t)	121.47'	211.00'	N74° 31' 52"W	119.80'	C20	39.27'	25.00'	N44° 37' 05"E	35.36'	C33	54.50'	211.00'	S73° 05' 38"E	54.35'
C8	85.23'	151.00'	N74° 12' 34"W	84.10'	C21	17.41'	25.00'	N20° 20' 06"W	17.06'	C34	28.19'	211.00'	S61° 52' 00"E	28.17'
C9	38.44'	25.00'	S45° 34' 36"W	34.76'	C22	13.91'	25.00'	N56° 13' 48"W	13.73'	C35(t)	119.11'	211.00'	S74° 12' 38"E	117.53'
C10	40.38'	25.00'	S44° 44' 39"E	36.13'	C23(t)	31.32'	25.00'	S36° 16' 37"E	29.32'	C36	86.93'	151.00'	S74° 31' 52"E	85.73'
C11	40.11'	25.00'	N44° 25' 28"W	35.94'	C24	68.96'	55.00'	N36° 15' 10"W	64.53'	C37	45.10'	100.00'	N76° 03' 22"E	44.72'
C12	15.49'	50.00'	S80° 44' 30"W	15.43'	C25	77.05'	55.00'	N39° 47' 49"E	70.90'	C38	45.10'	100.00'	N76° 03' 22"E	44.72'
C13	26.77'	55.00'	S85° 48' 36"W	26.51'	C26	51.16'	55.00'	S73° 25' 33"E	49.33'	C39	39.47'	25.00'	N43° 45' 11"E	35.49'

Line Table				Record (R)	
Line #	Length	Direction	Record (R)		
L1	37.87'	N38° 08' 24"E	N38° 08' 06"E	37.87'	
L2	51.80'	S01° 40' 11"W	N/A		

VICINITY MAP

not to scale



LEGEND

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

PROJECT NO: 19-0214

SCALE: 1" = 100'

FIELD BY: CAJ
DRAWN BY: BES

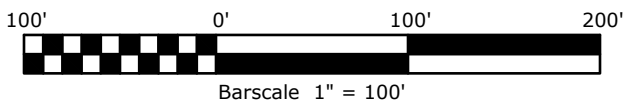
DATE: 08/15/2022
DRAW DATE: 08/15/2022

LAND SURVEYOR

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

DEVELOPER

Fox Opelika, LLC
280 Interstate North Cir SE
Atlanta, GA 30339



Barscale 1" = 100'

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUPALIA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9TH STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-1367)

3018

AGENDA ITEM #

7



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



PC DEADLINE: 8/2/22 PC MEETING: 8/23/22

SITE ADDRESS: 2419 Frederick Rd. Opelika, AL. 36801

PROPERTY OWNER: _____

APPLICANT/ AUTHORIZED REPRESENTATIVE: Takella Graves

MAILING ADDRESS: 1481 VFW Road Auburn, AL. 36832

PHONE NUMBER: 334-707-4443 FAX NUMBER: _____

EMAIL ADDRESS: nananursery1@gmail.com

PARCEL INFORMATION

Project name: Nanas Nursery Address/Location: 2419 Frederick Rd Auburn AL 36832

Current Land Use: CDD Current Zoning: CDD

Adjacent Zoning Districts: North: _____ South: _____ East: _____ West: CDD

Description of Proposed Use: Child Care

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 7/29/22

Starco Group LLC

STATE OF ALABAMA,

COUNTY OF LEE

I, Terrie McConnell, a Notary Public in and for said County and State, hereby certify that Takella Graves, 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 29 day of July

Terrie McConnell
Notary Public

My Commission Expires: Notary Public, Alabama State At Large
My Commission Expires June 26, 2024



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Agenda Item #: C-7

Action Requested: Child Daycare Center

Location of Property: 2419 Frederick Road

Property Owner: Starr Group, LLC (Patrick Starr)
Takella Graves, daycare tenant & authorized representative

Current Zoning: C-3, GC-P

Existing Land Use: Commercial

**Surrounding Zoning Districts
And Land Uses:**

North	R-4, GC-P	Single family & Apartments
South	C-2, GC-P	Commercial (rental)
East	C-2, GC-P	Commercial (Hair Salon)
West	C-2, GC-P	Commercial (Southern States Bank)

Proposal

The applicant is requesting conditional use approval for a child daycare center at 2419 Frederick Road near Tiger Town. *(The previous business was TPE Small Engines (lawn mower sales and repair)).* The daycare will provide services for nursery, toddlers, and preschoolers. The daycare will have 4 to 6 employees to care for 50 to 60 children as allowed by the Department of Human Resources (DHR). The daycare is open from 5:30 am 6:00 pm Monday to Friday. A future 2nd shift is planned from 3:30 pm to 11 pm. The applicant currently owns a daycare in Auburn (Nana's Nursery). The Frederick Road location has been approved for a child daycare by the Department of Human Resource; DHR has other requirements that the applicant must follow before the business opens (ex. staff to child ratio documented, minimum bathroom facilities, fenced outdoor play area, clean/uncluttered environment, etc.). The Fire Department has inspected the building: two fire extinguishers are required, and the rear exit door must remain accessible.

The site plan shows a 3,045 square foot building on a 29,300 square foot property area. The 16 parking spaces including one handicap parking space meets the minimum off-street parking for a daycare with a maximum of 60 children. If the daycare exceeds the maximum capacity of 60

children, then additional parking spaces must be added. The site plan and a site visit provide that space is available to add more parking spaces.

The building was constructed in 1965 before the Landscape Regulations were adopted (1995). There is limited space for landscaping because the property was asphalted for parking spaces and driveway lanes. Landscaping for the daycare conditional use was reviewed in consideration of Section 8.2 A¹ of the Zoning Ordinance that allows the reuse of nonconforming properties that do not conform to regulations if there are existing physical constraints. The constraint is the asphalt that covers most areas of the daycare property. Section 8.2 A. supports the reuse of commercial buildings on nonconforming lots rather than allow a building to remain vacant and create economic and aesthetic negative impact on the surrounding area. The pervious yard space for landscaping is along the west property line and the asphalt edge on the south side near the playground; 20 pine trees (10" dia.±) are in this area. Also, a few trees and shrubs are next to the daycare building on the east side of property between the building and driveway.

Planning Staff believes the daycare will serve the area being conveniently located near residential districts and many commercial businesses.

Recommendation

Planning Staff recommends approval subject to the following:

1. Restripe the 16-parking spaces; one space must be at least 13'x 18' for the handicap parking space and a sign posted providing location of the parking space.
2. If more than 60 children at any time are served by the daycare, then additional parking spaces are required. An asphalt or concrete surface is required for parking spaces.
3. The playground area needs to be fenced.

¹ ... the non-conforming structure or land use shall not be: 5. Established after discontinuance unless such establishment shall be in compliance with all regulations.... Note: Unless physical constraints (lot size, existing pavement existing: building, etc.) prohibit the site from coming into compliance. If physical constraints limit the use/structure from coming into compliance, the proposed use must meet the requirements as much as physically possible.

Engineering Department Report

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

Opelika Utilities Board Report

No comments.

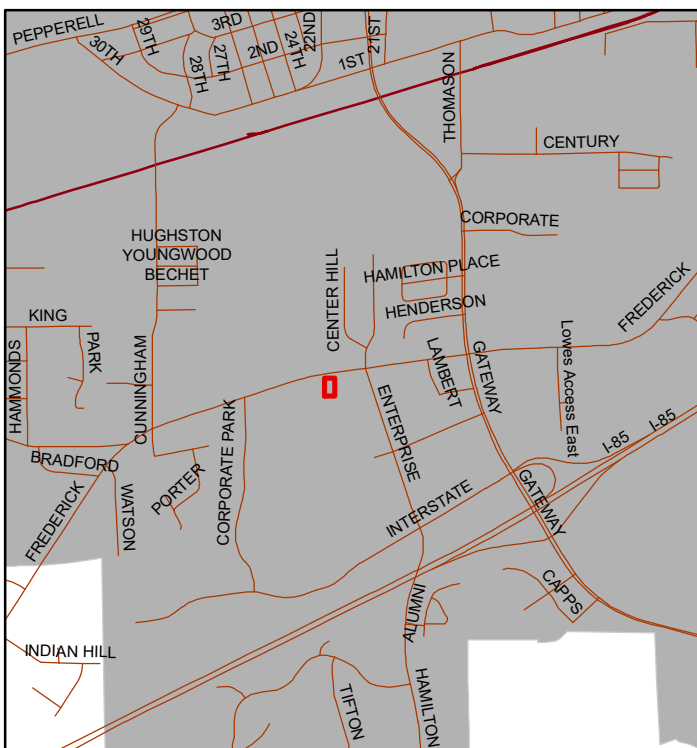
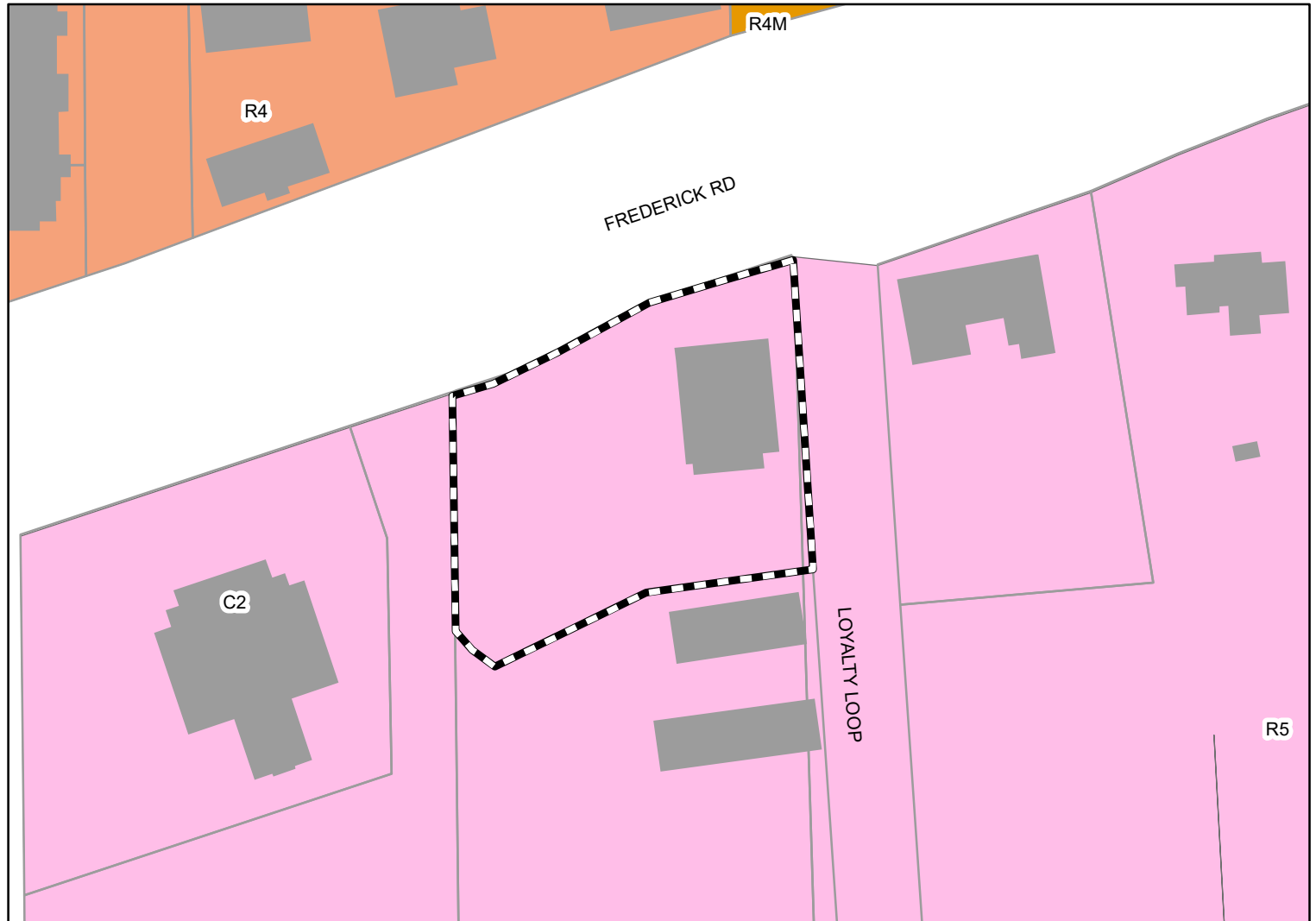
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

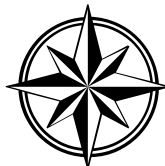
NANA'S NURSERY CHILD DAYCARE

2419 FREDERICK ROAD

CONDITIONAL USE



The applicant is requesting approval for a child daycare center on Frederick Road near Tiger Town. The 34,680 square foot property is in the C-2, GC-P zoning district.



Subject Property

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

FREDERICK ROAD

EXISTING C&G CUTS TO REMAIN

ADDITIONAL PARKING PROVIDED FOR EXISTING BUILDING

EXISTING BUILDING TO REMAIN

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

N71°25'E
265.0'

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

3 PARKING SPACES

6 PARKING SPACES

8 PARKING SPACES

2 SPACES

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

WAREHOUSE
1614 S.F.

2 PARKING SPACES

PAVED DRIVEWAY

Commercial
1688 S.F.

2 PARKING SPACES

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

RETAINING WALL CONCRETE

8 PARKING SPACES

GRAPE MYRTLE(2)

...ING
AIL USE.
SQUARE FEET.
BE BRICK
ND EAST SIDE AND
REAR AND WEST SIDE.
TE ANY
MATERIALS

LOBLOYY PINE (22 AROUND SIDE & REAR)

GRAPE MYRTLE (8 AROUND SIDE & REAR)

Unused
Conc. Block
Building
1700 S.F.

Overhead

FREDERICK ROAD

EXISTING C. CUTS

N71°25'E
265.0'

Daycare
3043 S.F.

6 PARKING SPACES

Playground

6 PARKING SPACES

chain link fence

GRAPE MYRTLE(2)

GRAPE MYRTLE(2)

GRAPE MYRTLE(2)

WILLOW OAK

OFFICE/WAREHOUSE
1614 S.F.

PAVED PARK

OFFICE/WAREHOUSE
1688 S.F.

PROPOSED PARKING BUILDINGS

EXISTING BUILDINGS TO
ENCLOSED AND BRICK
FRONT AND VISIBLE SL
ROLL-UP DOORS TO BA
PLUMBING PROVIDED IN
BUILDING.

Daycare property
29,300 sf

20 PINE TREES

EXISTING ASPHALT DRIVE (WIDE: 21' WIDE)

ZONE C2/GC2

Unwood
Cement Block
Foundation

GRAPE MYRTLE
WILLOW OAK
GRAPE MYRTLE



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

3027



PC DEADLINE: 8/21/22 PC MEETING: 8/23/22

SITE ADDRESS: _____

PROPERTY OWNER: G.A. Properties LLC

APPLICANT/ AUTHORIZED REPRESENTATIVE: DAVID SHUNNARAH JR.

MAILING ADDRESS: 1201 S. FOX RUN PARKWAY OPELIKA AL. 36801

PHONE NUMBER: 205-585-1206 FAX NUMBER: 205-663 0048

EMAIL ADDRESS: DAVID@RYROADWAY.COM

PARCEL INFORMATION

Project name: RV Roadway of Opelika Address/Location: 1201 S. FOX RUN Opelika

Current Land Use: undeveloped Current Zoning: C3

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

Description of Proposed Use: R.V. PARKING

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, DAVID SHUNNARAH JR, being owner of the property which is the subject of this conditional use application hereby authorize Scott Harris, Harris Gray, 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: David Shunnarah Jr Date: 7-5-22

STATE OF ALABAMA, COUNTY OF LEE

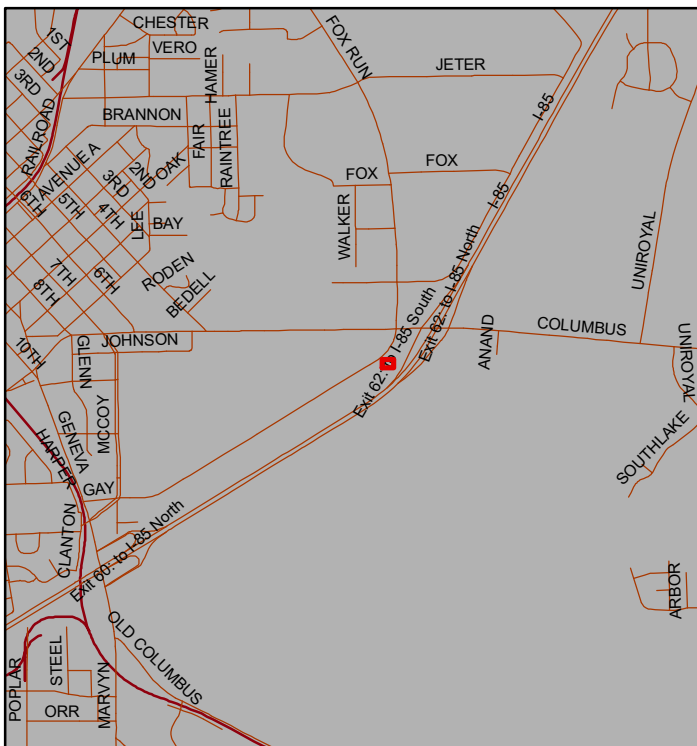
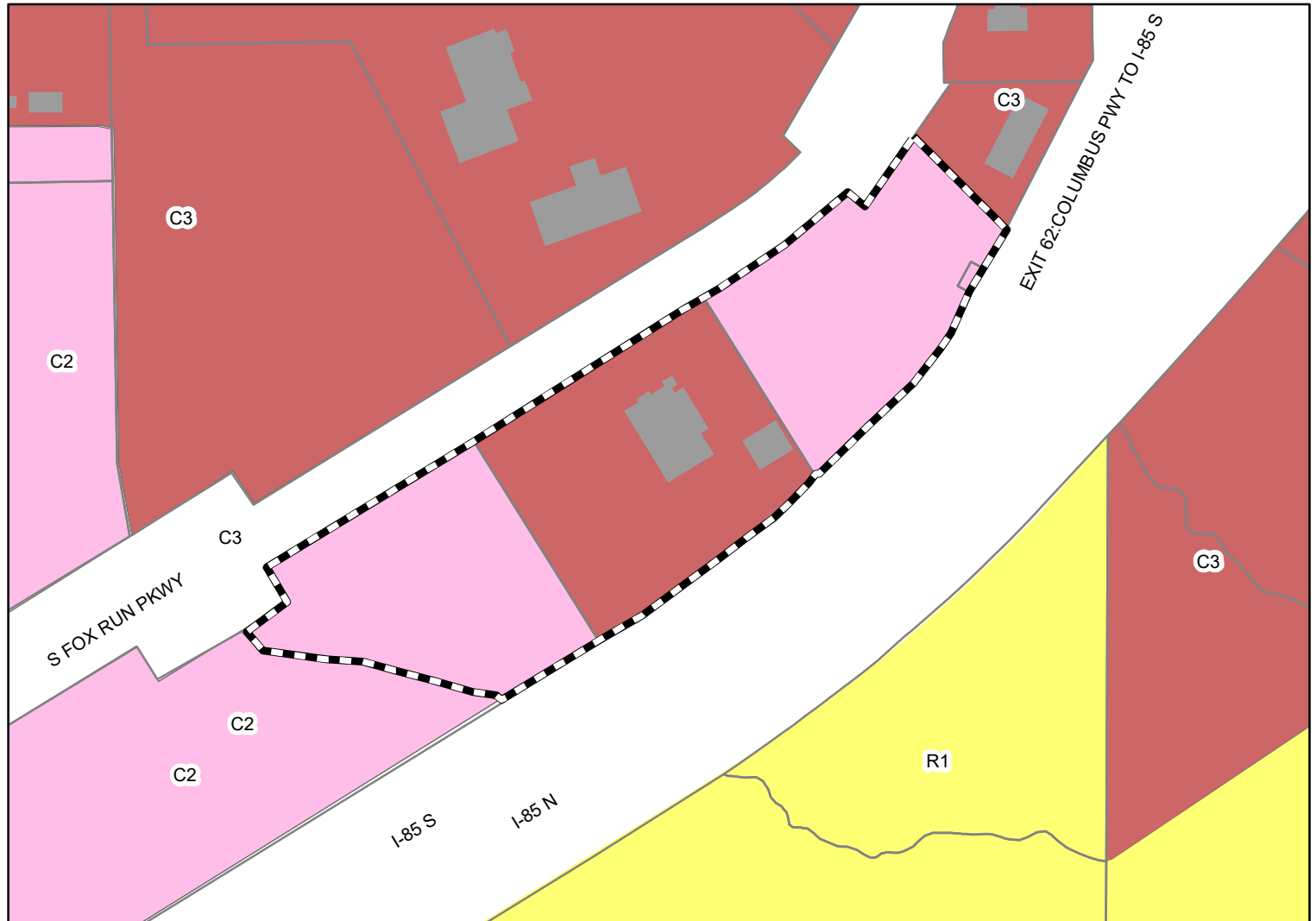
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

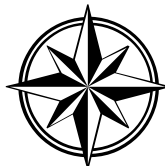
Notary Public

My Commission Expires: _____

**RV ROADWAY OF OPELIKA - OUTSIDE DISPLAY EXPANSION
1201 SOUTH FOX RUN PARKWAY
CONDITIONAL USE, C-8**



The applicant is requesting approval to expand the outside display of RVs and campers, and construct a service building. The 10.4 acre property is in the C-3, GC-P zoning district.



Subject Property

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APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 8-2-2022 PC MEETING: 8-23-2022

3031

SITE ADDRESS: Lot 1 WC Davis Industrial Park

PROPERTY OWNER: W. C. Davis Charitable Remainder Trust

APPLICANT/ AUTHORIZED REPRESENTATIVE: Richard Hayley

MAILING ADDRESS: PO Box 3634 Auburn AL 36831

PHONE NUMBER: 334-750-4626

FAX NUMBER: _____

EMAIL ADDRESS: kurt@hayleyrealestate.com

PARCEL INFORMATION

Project name: Morae Classical Schools Address/Location: Lot 1 WC Davis Industrial Park

Current Land Use: Vacant, wooded Current Zoning: M-1

Adjacent Zoning Districts: North: M-1 South: I-1 East: M-1 & R-3 West: M-1 & I-1

Description of Proposed Use: Private School

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, William C. Davis, being owner of the property which is the subject of this conditional use application hereby authorize Richard Kurt Hayley, 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: William C. Davis Date: 7-28-22

TRUSTEE

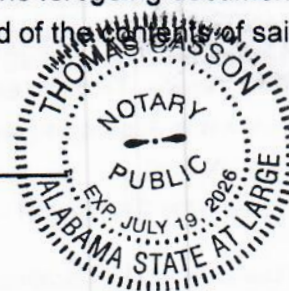
STATE OF ALABAMA,
COUNTY OF LEE

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

Given my hand and seal of office this 28 day of July

Notary Public

My Commission Expires: 7-19-2026



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022

Agenda Item #: C-9

Action Requested: Conditional Use – Private School, Morae Classical School

Location of Property: corner of Lake Condry Road and Andrews Road

Property Owner(s): W.C. Davis Charitable Remainder Trust
Richard, Hayley, authorized representative

Current Land Use: Undeveloped

Current Zoning: M-1, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	M-1	Undeveloped
South	I-1, GC-P	Southern Union College
East	R-3	Residential (single family homes)
West	M-1, GC-P	Commercial

Proposal

The applicant is requesting conditional use approval for a private school – Morae Classical School in a M-1, GC-P zoning district. Private schools are allowed in all zoning districts with conditional use approval. The proposed school property is 8.4 acres located next to Southern Union College across Lake Condry Road. Morae School has a similar curriculum as the Trinity Christian School on India Road. The proposed school is the first school of thirteen schools that are planned for construction in the vicinity of a military base; all the schools will have the same curriculum. The schools serve military families. For example, if a military family at Fort Bragg, NC is transferred to Fort Benning, Ga then the Morae School on Lake Condry Road will have the same curriculum as the school near Fort Bragg. Those military families that move frequently from base to base will be provided assurance and comfort that their children are receiving a consistent education each time the family moves. The school does not offer classes to homeschoolers nor open to public school students.

The school will begin teaching 5th grade through 8th grade. The school plans to grow one grade each year until the school has 5th through 12th grade classes. Grades 5 to 8 are called Logic School; Grades 9 to 12 called Rhetoric School. The maximum class size for all grades is 30 students per grade; the school has eight grades (5th through 12th), so a maximum of 240 students is expected. Two teachers will be assigned to each grade, so for the 5th grade through 12th grade a total of 16 teachers. Other employees at the school are the Head of School, front office assistant, computer technician, two student aides, facility manager, and two janitors. The school has a total of 25 on staff.

The school operates five days a week Monday-Friday. On Tuesdays, Wednesdays, and Thursdays, from 8 am to noon students attend the school on Lake Condy Road for academics. On Monday through Friday students attend extracurricular activities such as sports, arts, music, etc. from noon to 5 pm at the school. Two days a week classes are online.

The site plan shows a 12,320 square foot (sf) school building, 26,400 sf gymnasium, and a football/soccer field. Parking requirements for a school: 1. Elementary and junior high: One (1) space per teacher and staff member, plus one (1) space per two (2) classrooms. 2. Senior high: One (1) space per teacher and staff member on the largest shift, plus one (1) space per five (5) non-bused students. Maximum class size is 30 students for grades 5 through 8; a total of 120 students (4 classes x 30 students) will attend the 5th through 8th grades (elementary and junior high). Therefore, a minimum of 14 parking spaces are required for teachers and staff, grades 5 through 8 (12 parking spaces for teachers and staff plus one parking space per 2 classes).

For grades 9 through 12, the maximum 30-student class capacity allows 120 students (4 classes x 30) for the four senior high grades. Busing students to school is not provided so the 120 senior high students count toward minimum parking requirements ($120/5 = 24$ ps + 13 teachers & staff = 37 parking spaces). A minimum of 37 parking spaces are required for the senior high school grades. Eventually, the school will have 8 grade levels (5th grade through 12th grade). For all grade levels, a total of 51 parking spaces are required. The site plan shows 252 parking spaces (ps).

The site plan provided includes a conceptual landscape plan. Most of the 8.4 acres is currently forested, tree-covered property. The plan shows large areas that preserve trees. A natural undisturbed wooded buffer is along the perimeter of the lot. A R-3 residential zoning district is adjacent to the applicant's property along the east property line next to Andrews Road. A residential buffer is required along adjacent residential zoned properties. The trees preserved on the east side may serve as a residential buffer if buffer is at least 25 feet wide and provides a near visual impervious barrier. Landscape islands are near the parking spaces to buffer the expanse of asphalt. The landscape plan needs to show that the minimum base points and parking lot points are met. The property is less than the maximum 70% impervious surface ratio allowed.

A photo of the school building is in your packet and on next page. This building will be used temporary for a few years until funds are secured to construct a permanent school building. The building is about 30% brick and 70% EIFs or fiber cement siding. These materials are approved exterior material in the Gateway Corridor.

Outside lighting must be directed or shielded so that light is controlled and not spilling over to adjacent properties creating a negative impact. Lighting must not exceed one footcandle measured from a property line adjacent to a residential zoned property.

Staff recommends approval subject to the following conditions:

1. Add a legend to landscape plan providing base points & parking lot points required and obtained and add the type of residential buffer adjacent to the R-3 zone.

2. Handicap parking spaces must meet the standards of the ADA (Americans with Disability Act).



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.

More information will be needed regarding the school attendance and times to determine if additional turn lanes will be necessary for the existing roadways. It is also requested that a 5-ft sidewalk be placed around the school connecting the entrances of Lake Condé and Andrews Roads with the development of this site.

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

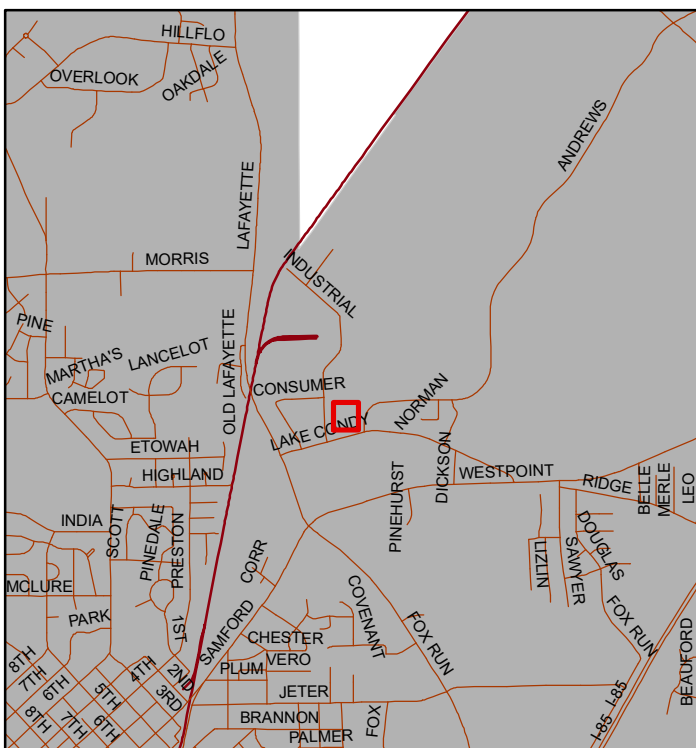
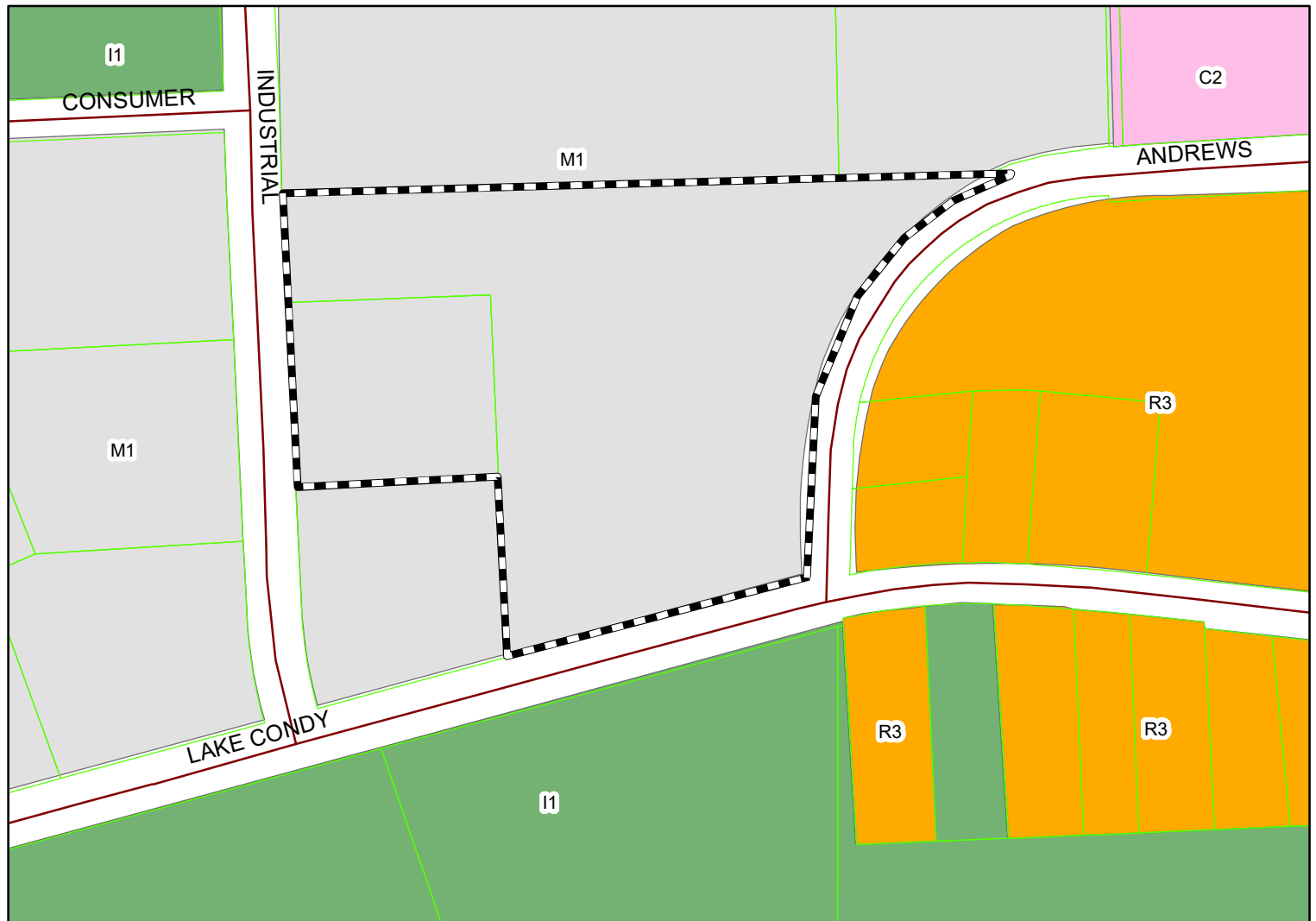
Opelika Utilities Board Report

No buildings shall be built at or above the finished floor elevation above 805 feet without mechanical assistance to maintain pressure that satisfies the International Building Code (IBC).

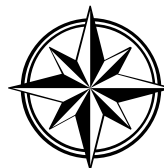
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

MORAE CLASSICAL SCHOOL LAKE CONDY ROAD & ANDREWS ROAD CONDITIONAL USE APPROVAL, C-9

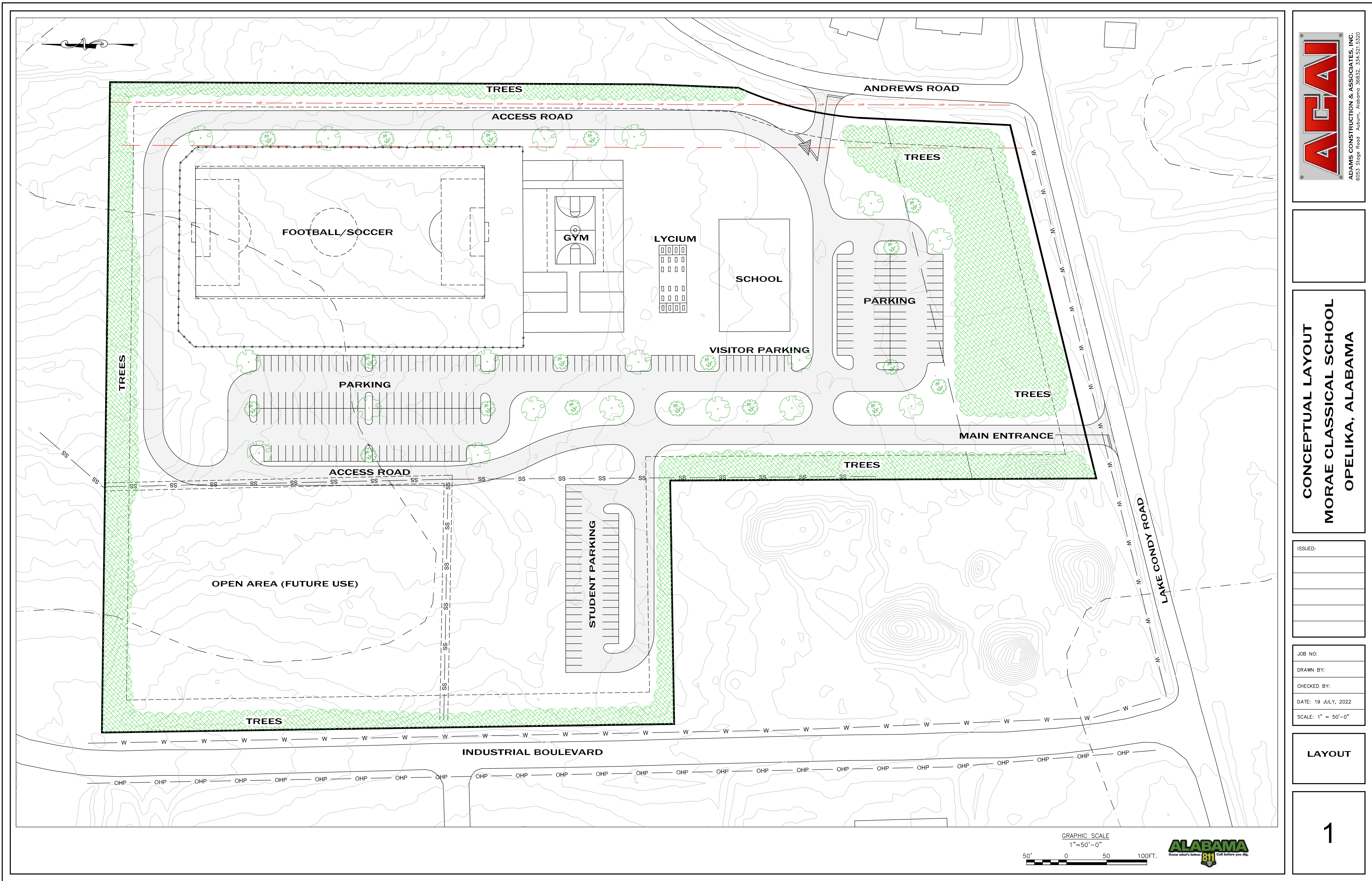


The applicant is requesting approval for a private school. Morae Classical Schools is a network of christian schools providing classical education to children of military households. The ten acre parcel is located in a M-1, GC-S zoning district.



Subject Property

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

plan 2988

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
☐ Manufacturing/Industrial ☐ Office/Institutional

PAID 260.10

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: August 23, 2022 (Tabled on July 26, 2022)

Subdivision: Fox Path Subdivision

Agenda Item #: D-10

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.

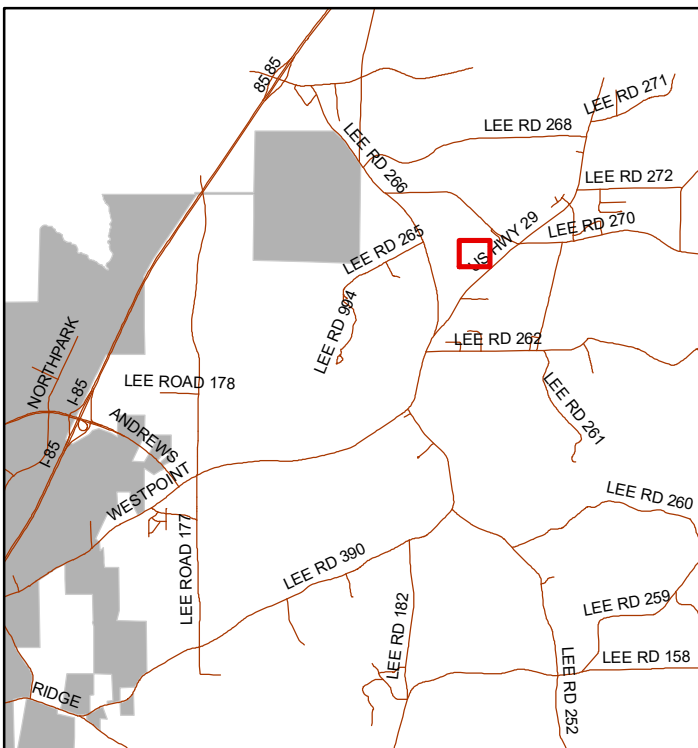
Opelika Utilities Board Report

This subdivision is located in the Beulah Utilities District.

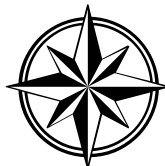
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

**FOX PATH SUBDIVISION
HIGHWAY 29 NORTH
PRELIMINARY APPROVAL, D-11**



The applicant is requesting approval for 28 single family home lots. The 33 acre property is in the PJ (Planning Jurisdiction). (This plat was tabled at the July 26th PC meeting.)

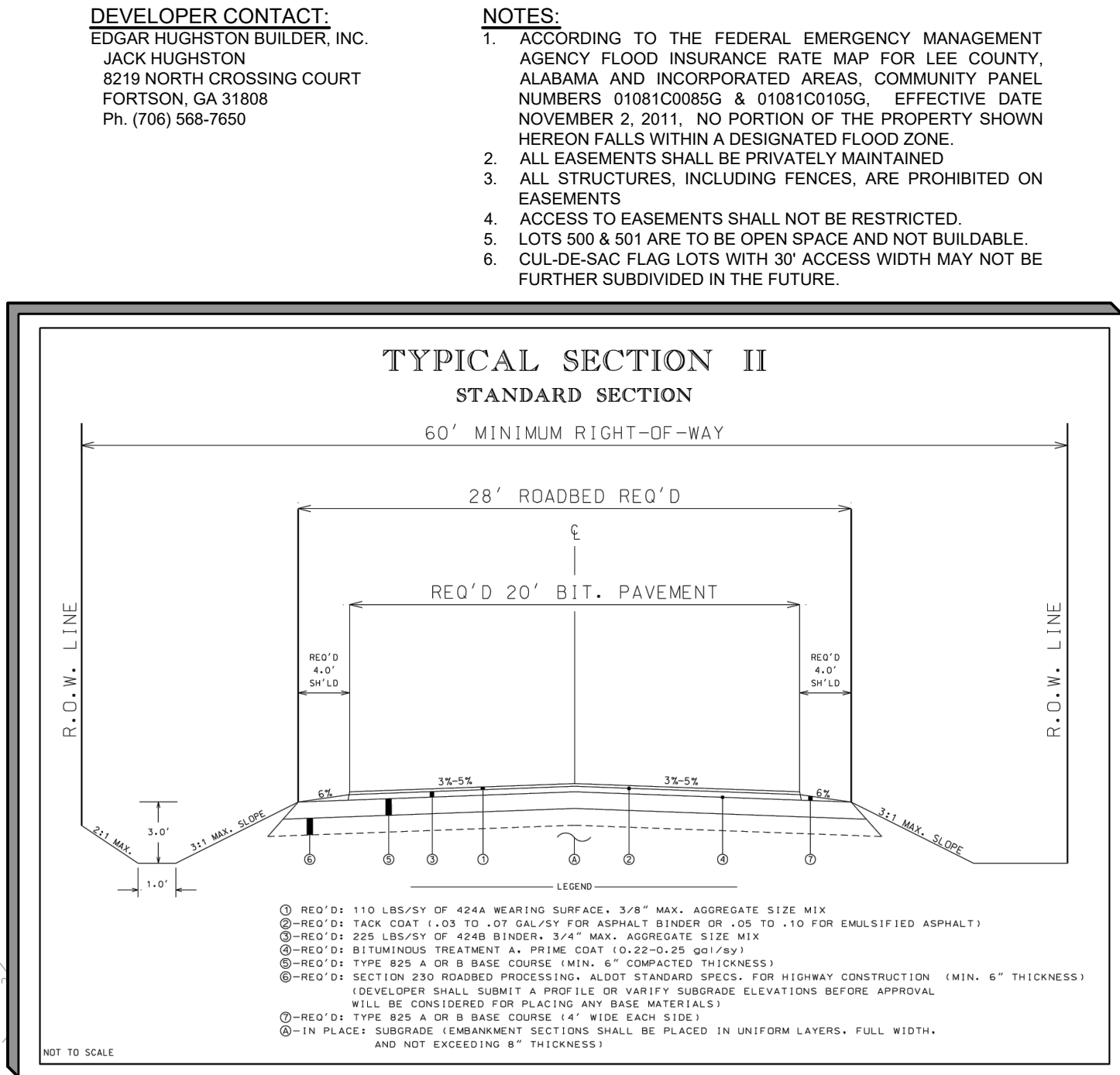
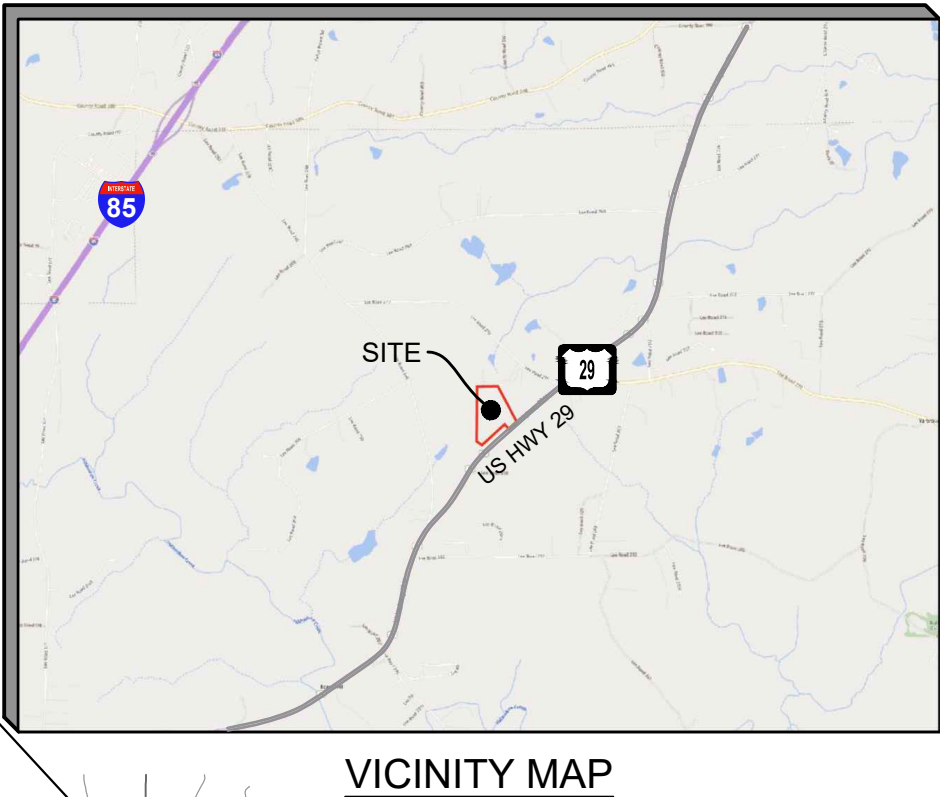


Subject Property

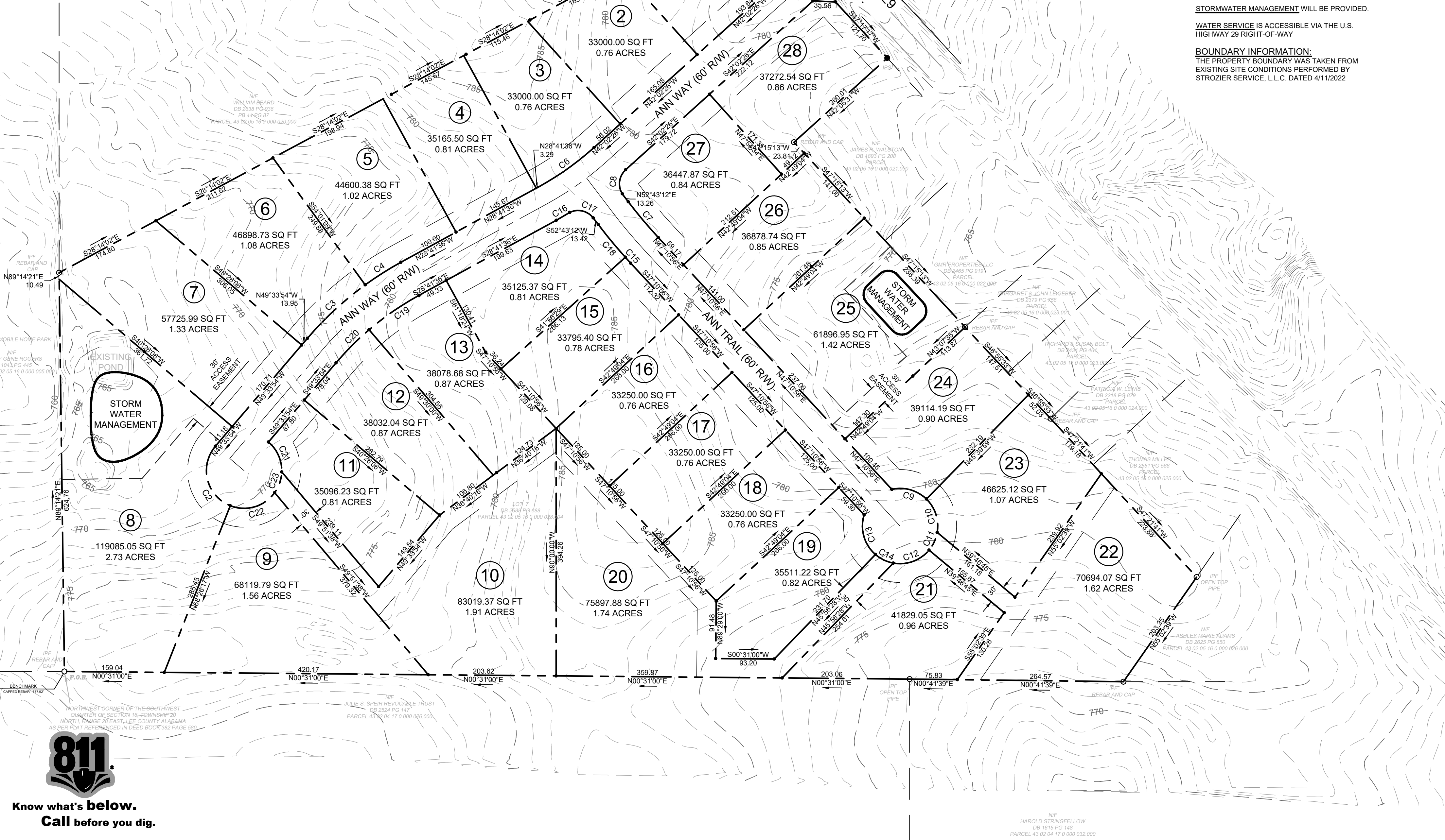
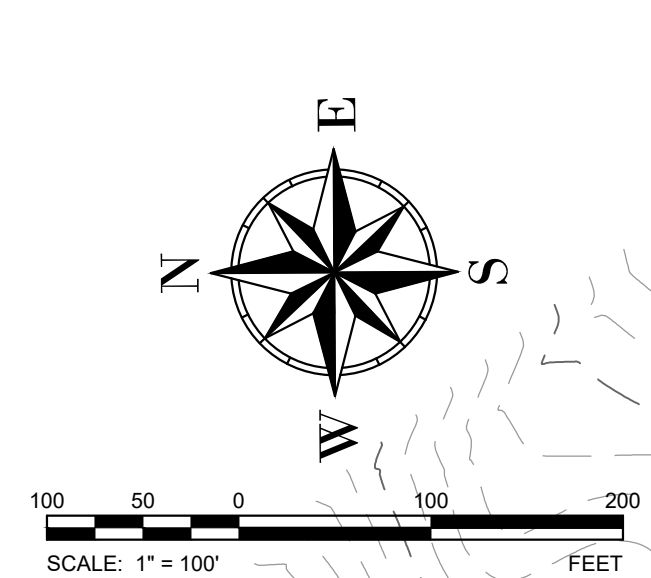
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Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	114.01	60.00	108.87	S75°59'55"W	97.62
C3	125.66	530.00	13.58	N42°46'23"W	125.36
C4	67.41	530.00	7.29	N32°20'14"W	67.37
C6	109.49	470.00	13.35	N35°22'01"W	109.24
C7	74.42	770.00	5.54	N49°57'04"E	74.39
C8	44.63	30.00	85.24	S84°39'37"E	40.63
C9	59.85	60.00	57.15	N15°45'29"E	57.40
C10	58.06	60.00	55.45	N72°03'23"E	55.82
C11	31.42	60.00	30.00	S65°13'15"E	31.06
C12	63.36	60.00	60.50	S19°58'11"E	60.45
C13	69.46	60.00	66.33	S74°00'59"W	65.65
C14	32.01	60.00	30.57	S25°33'58"W	31.63
C15	12.69	830.00	0.88	S47°37'14"W	12.69
C16	24.71	530.00	2.67	S30°01'44"E	24.70
C17	41.76	30.18	79.27	S12°57'36"W	38.50
C18	67.53	830.00	4.66	S50°23'21"W	67.51
C19	96.85	470.00	11.81	S34°35'48"E	96.68
C20	74.36	470.00	9.06	S45°01'57"E	74.28
C21	53.84	60.00	51.42	N66°08'36"E	52.05
C22	79.36	60.00	75.78	S16°19'41"E	73.70
C23	35.53	60.00	33.93	S71°11'00"E	35.02

SITE AREA	
TOTAL LAND AREA:	±33.25 AC
TAX PARCEL ID:	43 02 05 16 0 000 028.004
SMALLEST LOTS: 1, 2, 3	33,000 SF
PROPOSED # OF LOTS:	28
MINIMUM RESIDENTIAL LOT SIZE:	32,670 SF (0.75 AC)
MINIMUM RESIDENTIAL LOT WIDTH:	125 FT
MINIMUM BUILDING SETBACK:	30 FT
DENSITY:	0.84 LOTS/ACRE
ZONING:	RURAL CENTER DISTRICT
PROPOSED USE:	CONVENTIONAL SUBDIVISION
SANITATION	
SEPTIC SYSTEM REQUIRED ON ALL LOTS	
STREETS	
ROAD TYPE:	PAVED WITH NO CURB & GUTTER
TOTAL # OF CULDESACS:	2
STREET LENGTHS	
ANN WAY:	1,271 FT
ANN TRAIL:	746 FT
TOTAL:	2,017 FT



ENGINEER'S CERTIFICATION
STATE OF ALABAMA
COUNTY OF LEE
NAME _____ P.E. # _____
TITLE _____ FIRM _____
DATE _____
SURVEYOR'S CERTIFICATION
STATE OF ALABAMA
COUNTY OF LEE
I, MARK D. STROZIER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, FOR (SURVEY COMPANY) STATE THAT THIS IS A PLAT
OF AN ACTUAL FIELD SURVEY OF LOTS THROUGH _____ INCLUSIVE OF FOX PATH SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
I FURTHER STATE THAT THIS SURVEY AND PLAT MEETS THE CURRENT STANDARDS OF PRACTICE AS SET FORTH BY THE ALABAMA STATE BOARD OF LICENSED PROFESSIONAL ENGINEERS AND LAND SURVEYORS IN RULE 330-X-14-05 (G) ON MARCH 31, 1990 (OR MOST CURRENT REVISED RULE) TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.
THIS THE _____ DAY OF _____, 2022.
MARK D. STROZIER _____ ALABAMA LICENSE # _____
DEDICATION
EDGAR HUGHSTON BUILDER, INC., THE OWNER(S) OF SAID LANDS SURVEYED BY MARK D. STROZIER, DO HEREBY CERTIFY THAT TITLE WAS AND IS VESTED IN SAID OWNER(S) AND JOIN IN THE FOREGOING STATEMENT MADE BY SAID _____ AND AS STATED IN CODE OF ALABAMA 1975, § 35-2-50 ET SEQ., DO HEREBY CERTIFY THAT IT WAS AND IS MY (OUR) INTENTION TO DIVIDE SAID LANDS INTO LOTS AS SHOWN BY SAID PLAT AND DO HEREBY DEDICATE, GRANT, AND CONVEY FOR PUBLIC USE THE STREETS, ALLEYS AND PUBLIC GROUNDS AS SHOWN ON SAID PLAT.
SIGNED AND SEALED IN THE PRESENCE OF:
CEO OF EDGAR HUGHSTON BUILDER, INC.
ACKNOWLEDGMENT
STATE OF ALABAMA
COUNTY OF LEE
I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JACK HUGHSTON, WHOSE NAME AS CEO OF EDGAR HUGHSTON BUILDER, INC. IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, HE/HE/SHE AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.
GIVEN UNDER MY HAND AND OFFICIAL SEAL
THIS THE _____ DAY OF _____, 2022
NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____
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 _____ PLANNING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA.
THIS THE _____ DAY OF _____, 2022.
COUNTY ENGINEER _____
COUNTY OF LEE, ALABAMA
CERTIFICATE OF APPROVAL BY THE COUNTY COMMISSION
THE WITHIN PLAT OF _____ LEE COUNTY, ALABAMA, IS HEREBY APPROVED BY THE COUNTY COMMISSION OF LEE COUNTY, ALABAMA.
THIS THE _____ DAY OF _____, 2022
CHAIRMAN, COUNTY COMMISSION _____
COUNTY OF LEE, ALABAMA
CERTIFICATE OF APPROVAL BY THE CITY OF OPELIKA PLANNING COMMISSION
THE WITHIN PLAT OF _____ LEE COUNTY, ALABAMA, IS HEREBY APPROVED BY THE PLANNING COMMISSION OF OPELIKA, ALABAMA.
THIS THE _____ DAY OF _____, 2022
CHAIRMAN, PLANNING COMMISSION _____
OPELIKA, ALABAMA
CERTIFICATE OF APPROVAL BY BEULAH UTILITIES
THE UNDERSIGNED, AS AUTHORIZED BY BEULAH UTILITIES HEREBY APPROVED THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA
THIS THE _____ DAY OF _____, 2022
PROJECT MANAGER _____
BEULAH UTILITIES
CERTIFICATE OF APPROVAL BY THE LEE COUNTY HEALTH DEPARTMENT
THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE LEE COUNTY HEALTH DEPARTMENT. THE APPROVALS MAY CONTAIN CERTAIN CONDITIONS PERTAINING TO THE ON-SITE WASTEWATER TREATMENT SYSTEM(S) THAT COULD RESTRICT THE USE OF THE LOT(S) OR OBLIGATE THE OWNER TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS. THESE CONDITIONS ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HEREON. I HEREBY APPROVE THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF LEE COUNTY, ALABAMA
THIS _____ DAY OF _____, 2022
HEALTH OFFICER _____



CAUTION !!!
CONTRACTOR TO LOCATE AND PROTECT EXISTING UTILITIES PRIOR TO AND DURING CONSTRUCTION.
COORDINATE ALL RELOCATIONS AND REMOVAL OF UTILITIES WITH THE APPROPRIATE AUTHORITY.
811
Know what's below.
Call before you dig.

BOLT ENGINEERING INC

CIVIL ENGINEERING • LAND PLANNING

400 2nd AVENUE
OPELIKA, AL 36801
phone 334.744.4016 | www.boltingengineering.net

PRELIMINARY PLAT

PRELIMINARY
NOT FOR
CONSTRUCTION

FOX PATH SUBDIVISION

JOB NO.: 22 224

INITIAL DATE: 02 24 22

SCALE: 1" = 100'

SHEET #

CS-100

SECTION 16, TOWNSHIP 20 NORTH, RANGE 28 EAST
CUSSETA, LEE COUNTY, ALABAMA



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

2734

PC DEADLINE: 02/01/2022PC 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: MultifamilyCurrent Zoning: R-4Description of Proposed Use: Site Improvements and Additional Multi-Family Buildings to be constructedAdjacent Zoning Districts: North: R-4 South: PUD East: R-4 West: C-3

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

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022 (tabled on February 22, 2022, and July 26, 2022)

Agenda Item #: E-11

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.

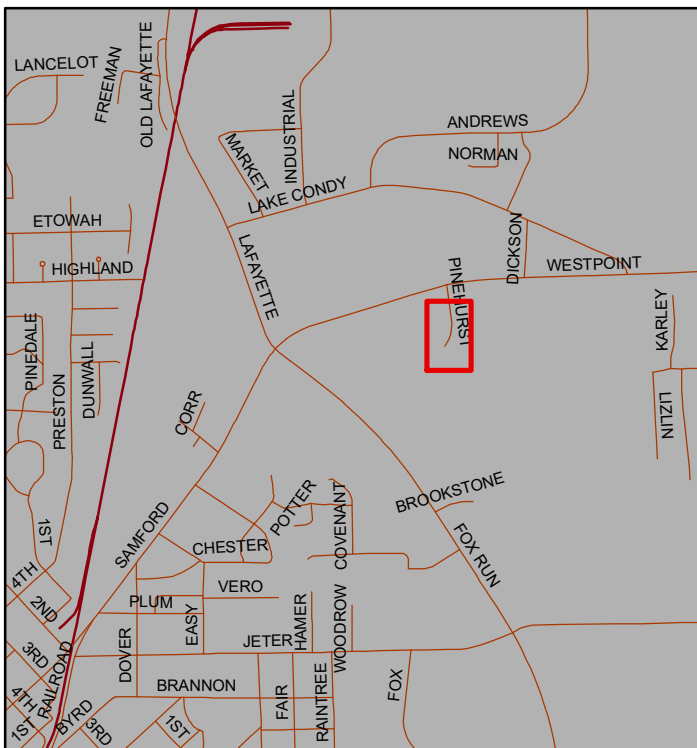
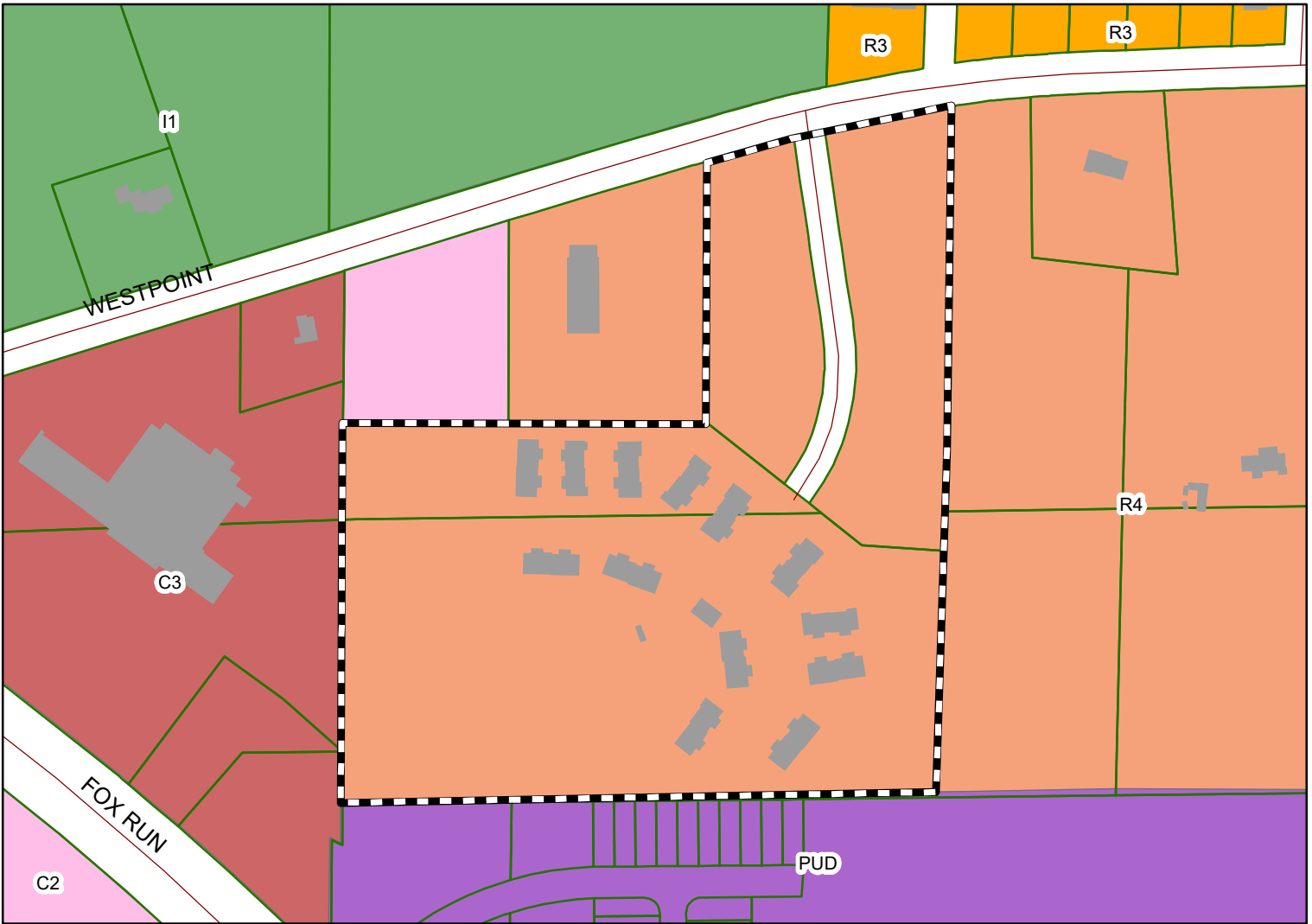
Opelika Utilities Board Report

No comments.

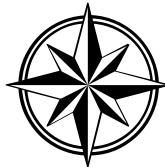
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

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

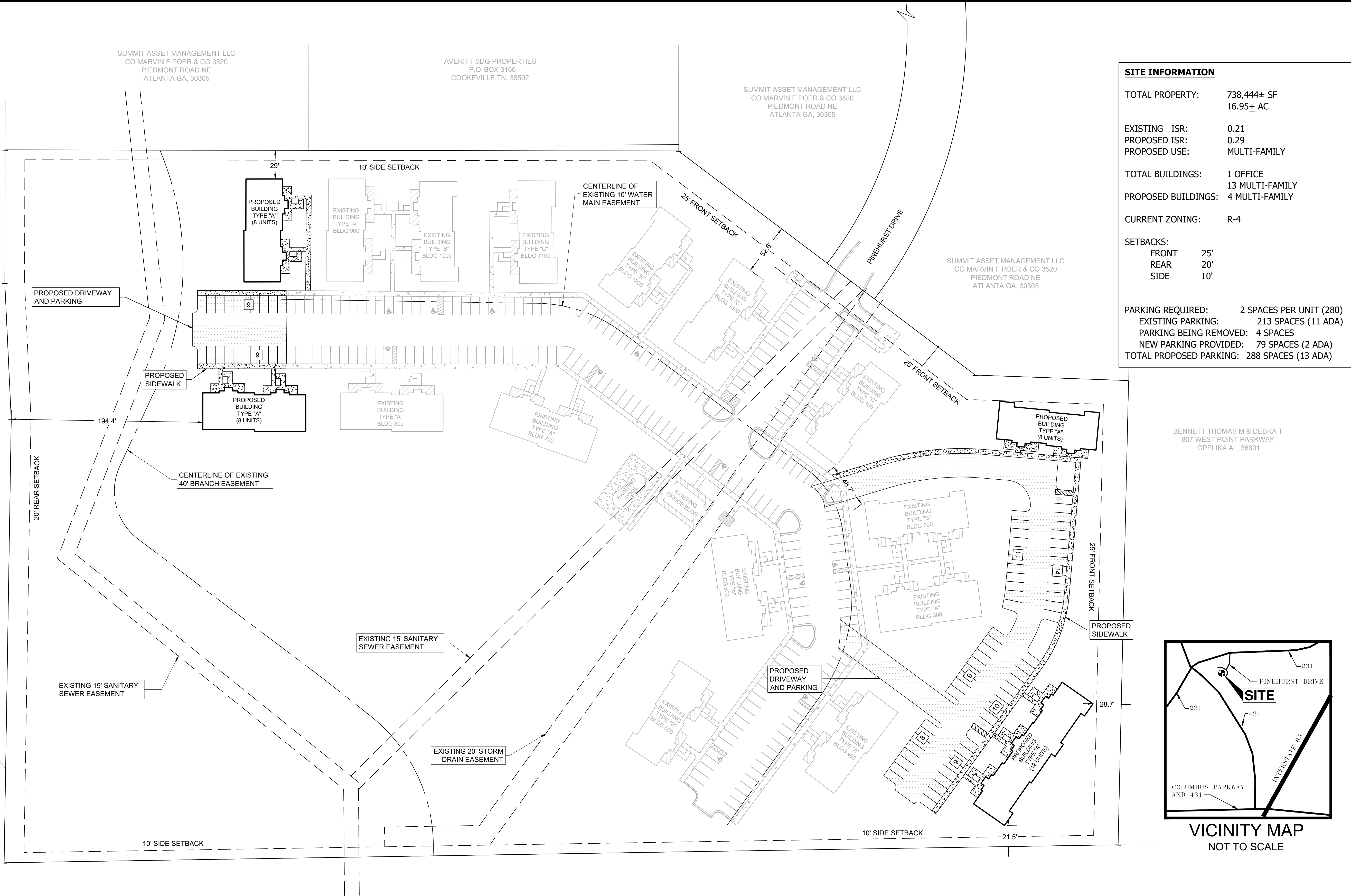


The applicant is requesting to add 36 apartment units to Pinehurst Apartments (104 existing units) constructed in 1995. The property is located in a R-4 zoning district. This agenda item was tabled at the February 27th PC meeting.



Subject Property

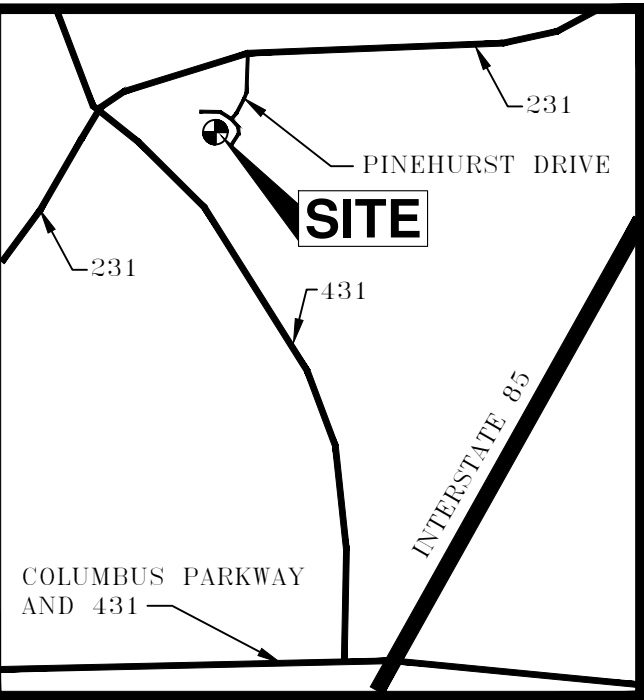
The City of Opalika does not guarantee this map to be free from errors or inaccuracies. The City of Opalika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not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



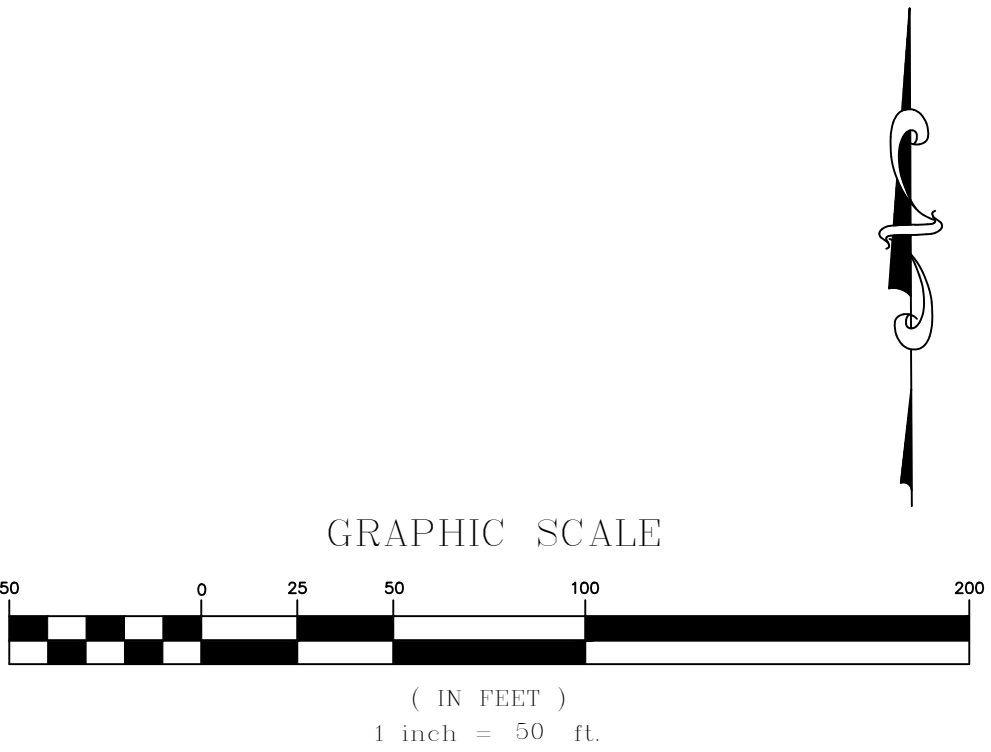
SITE INFORMATION

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

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



VICINITY MAP
NOT TO SCALE



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



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

BROOKHAVEN
PINEURST APARTMENTS
OPELIKA

02.10.2022
UPDATED SITE DATA

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Simpson, Inc.

PROPOSED
SITE LAYOUT

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

DATE: 24 JANUARY 2022

PROJECT NUMBER: 21-0206

SHEET NUMBER

C1

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

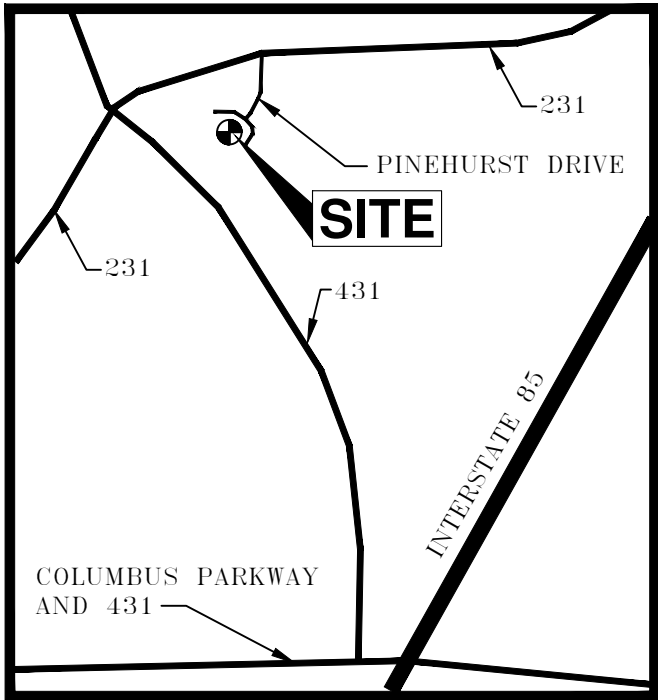
EXISTING ISR: 0.91
PROPOSED ISR: 0.91
PROPOSED USE: MULTI-FAMILY

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

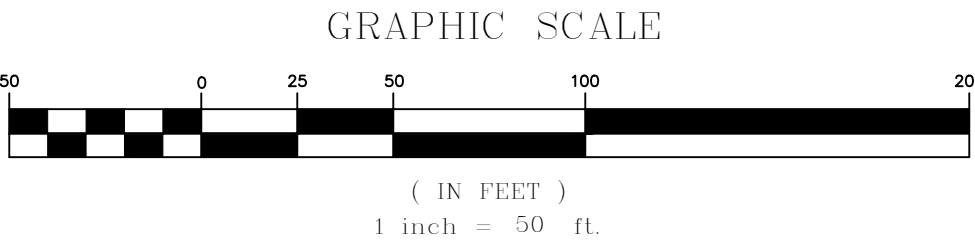
CURRENT ZONING: R-4

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

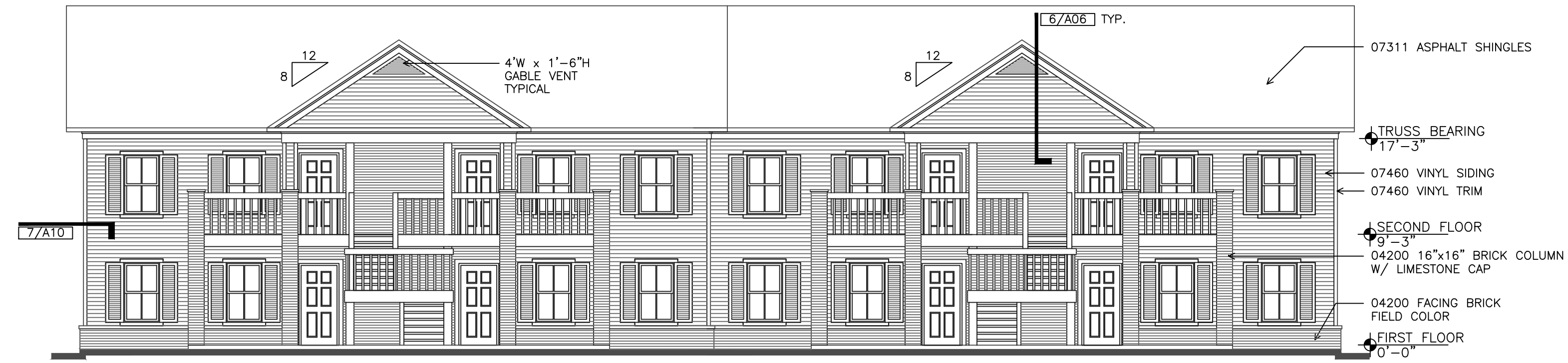
DRAWN BY: BSI
DESIGNED BY: BSI
REVIEWED BY: BSI
APPROVED BY: BSI

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"



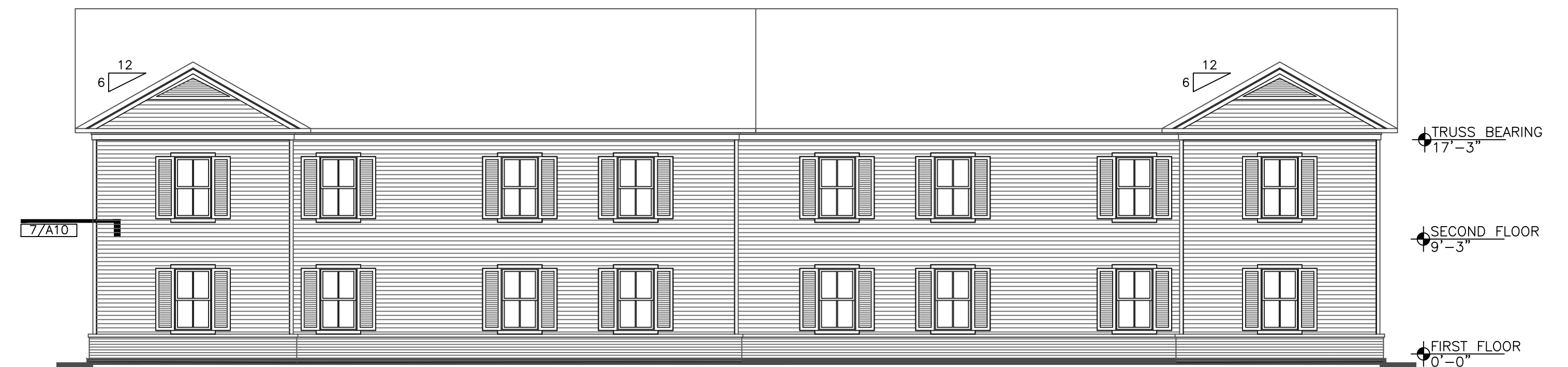
2 SIDE ELEVATION—BUILDING "A2" (SHOWN), TYPE "A1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



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



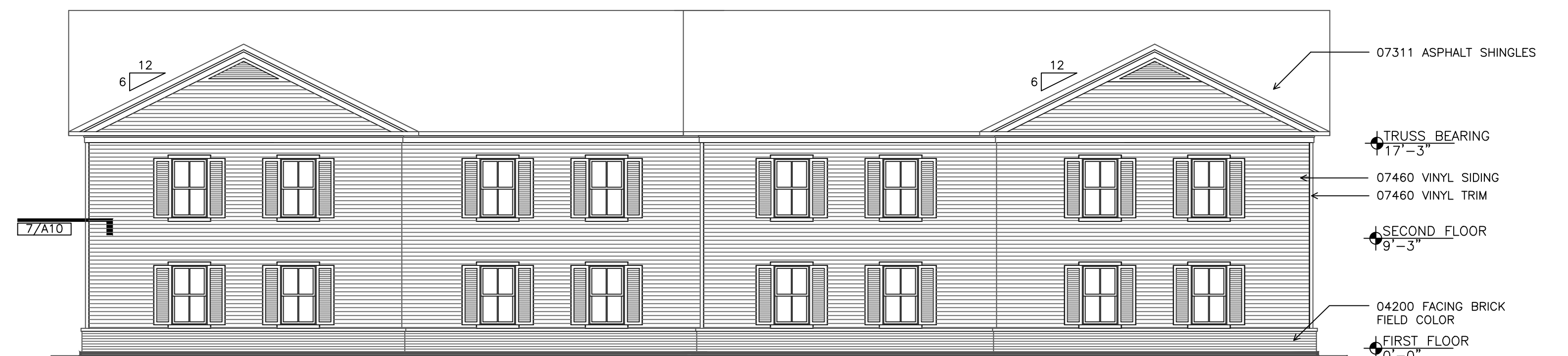
4 SIDE ELEVATION—BUILDING "B2" (SHOWN), TYPE "B1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



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



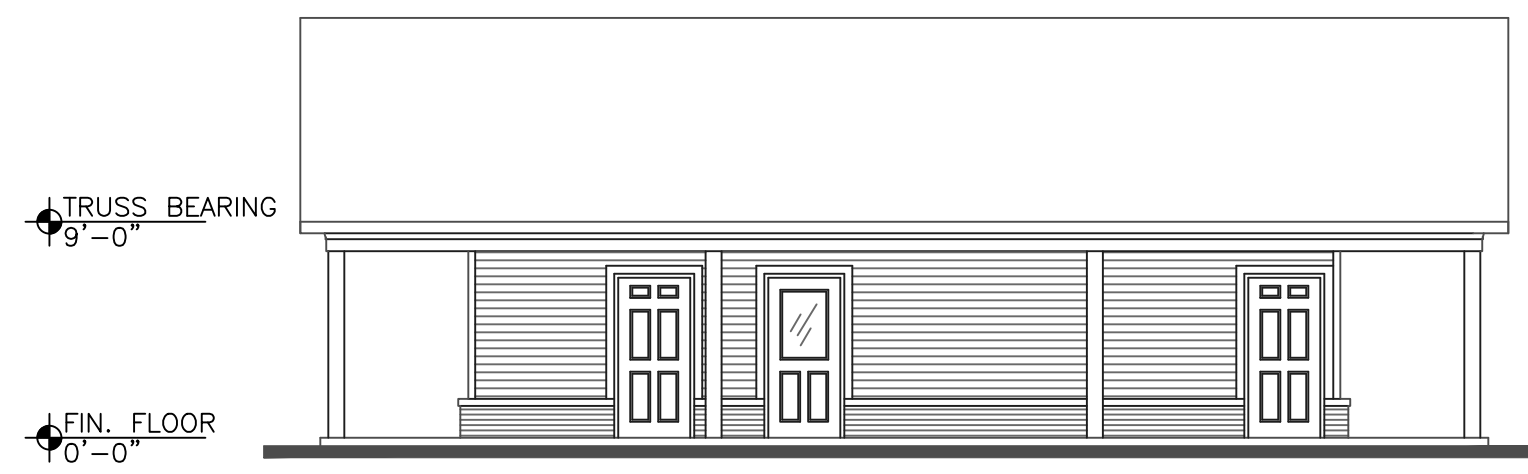
6 SIDE ELEVATION—BUILDING "C2" (SHOWN), TYPE "C1" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



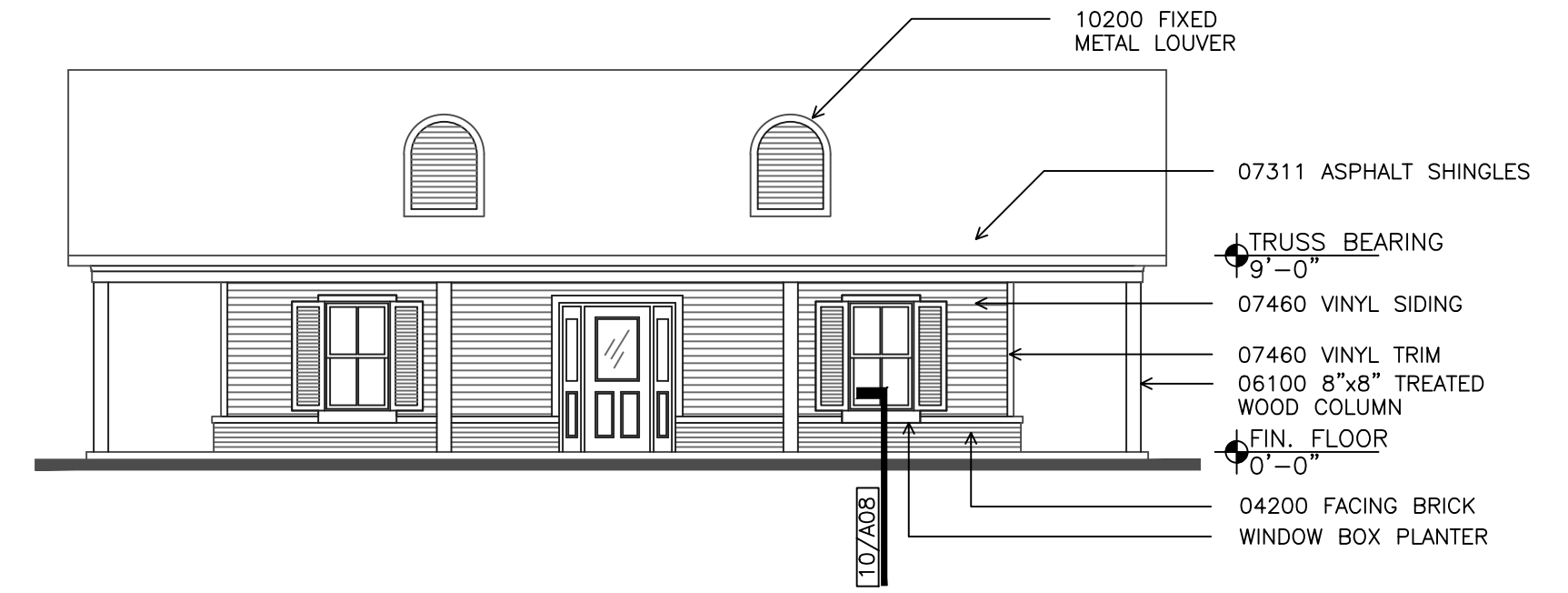
7 REAR ELEVATION BUILDING TYPE "C1" (SHOWN), TYPE "C2" (SIMILAR OPPOSITE HAND)
A07 1/8"=1'-0"



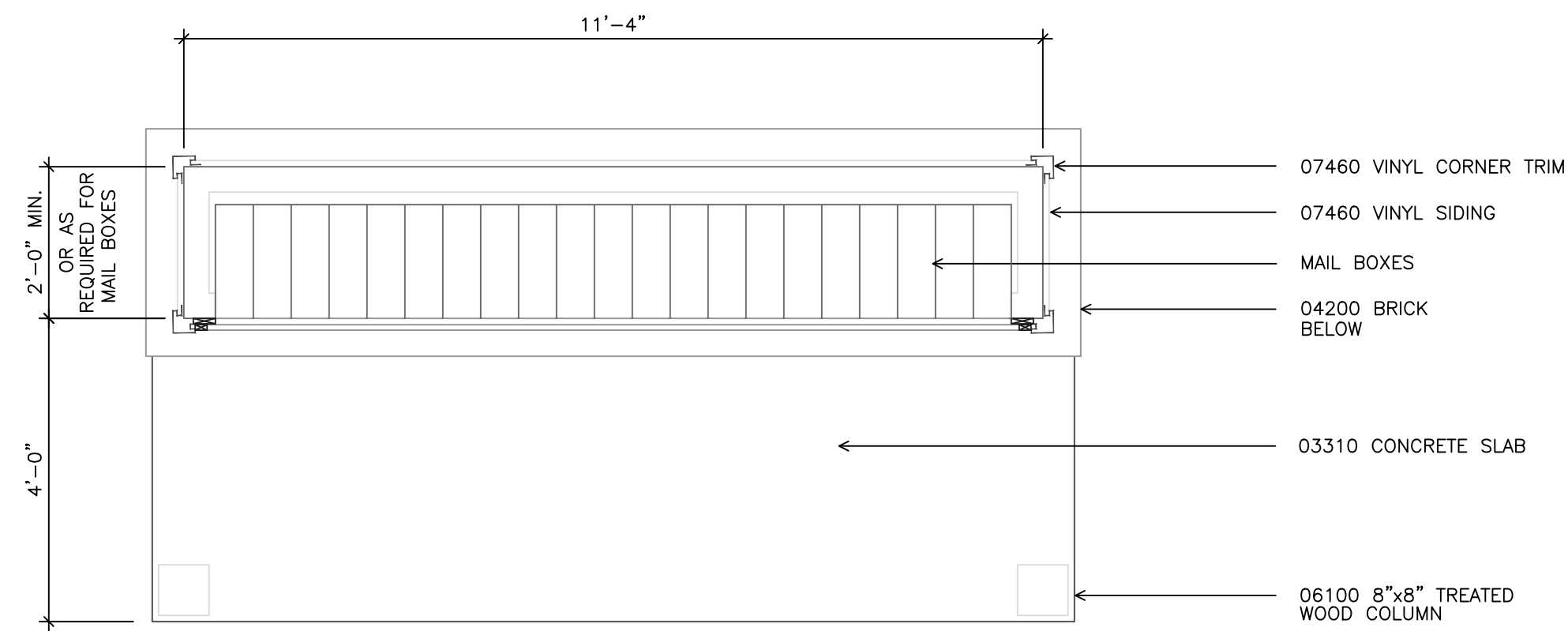
1 CLUBHOUSE SIDE ELEVATION
A08 1/8" = 1'-0"



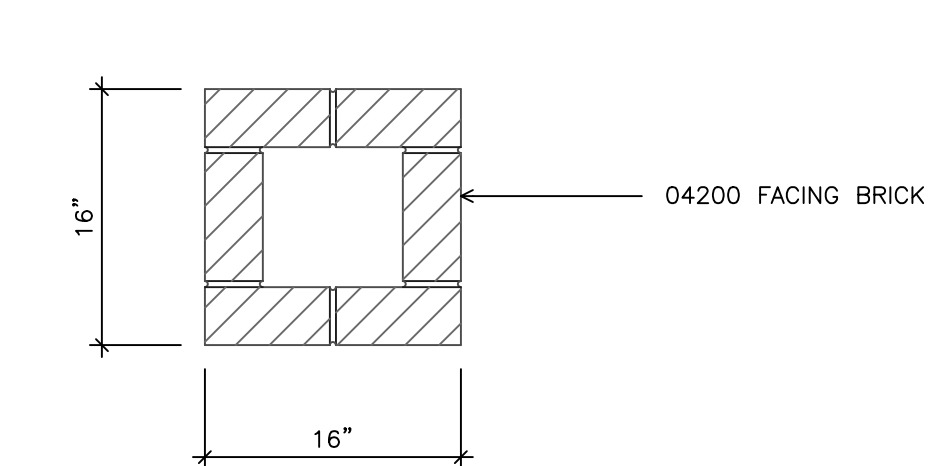
2 CLUBHOUSE REAR ELEVATION
A08 1/8" = 1'-0"



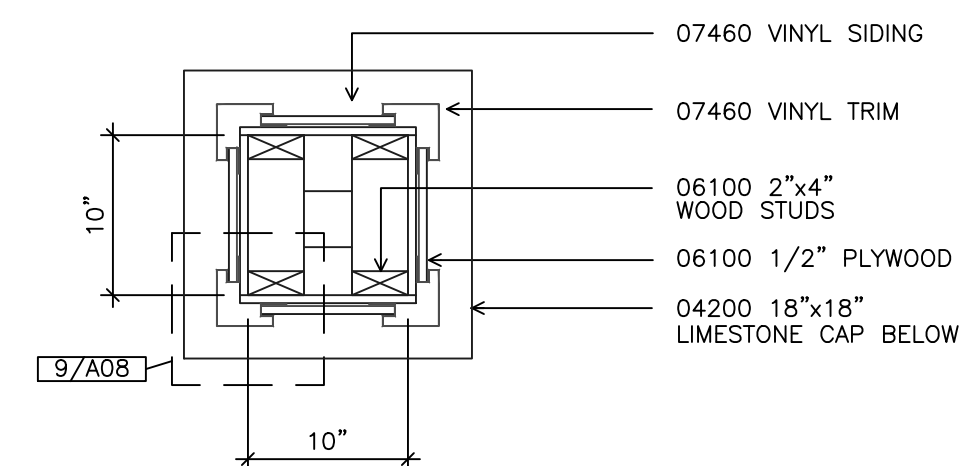
3 CLUBHOUSE FRONT ELEVATION
A08 1/8" = 1'-0"



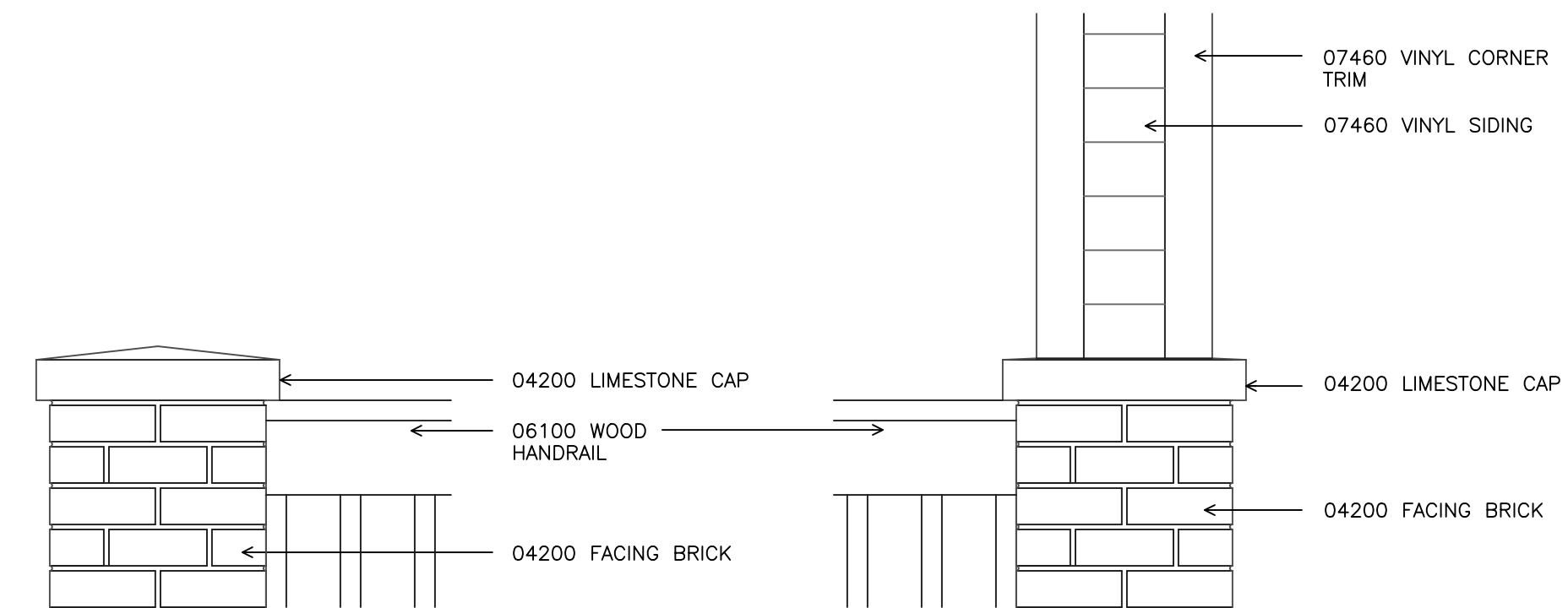
4 MAILBOX KIOSK
A08 1/2" = 1'-0"



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

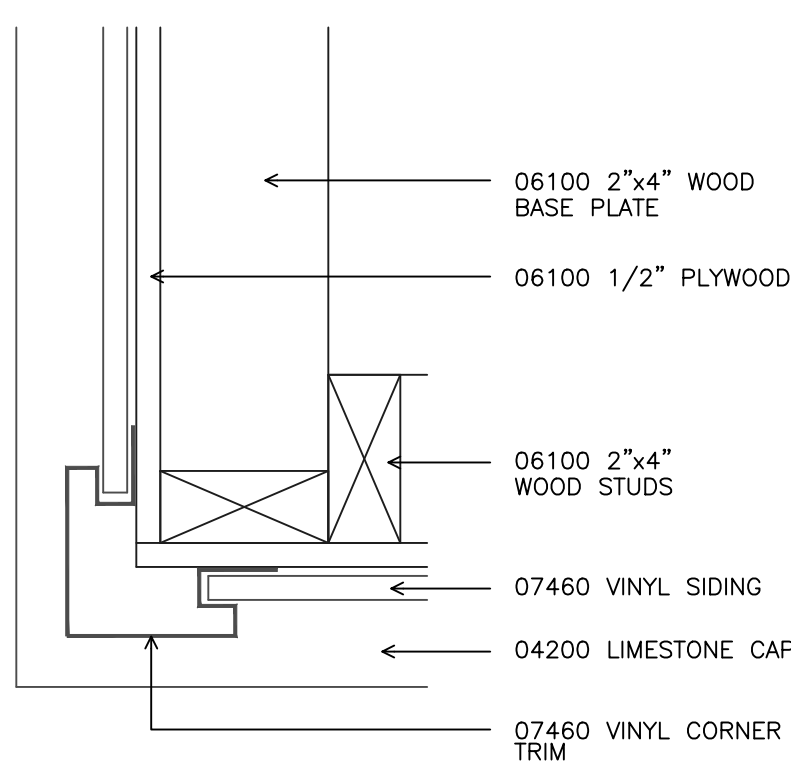
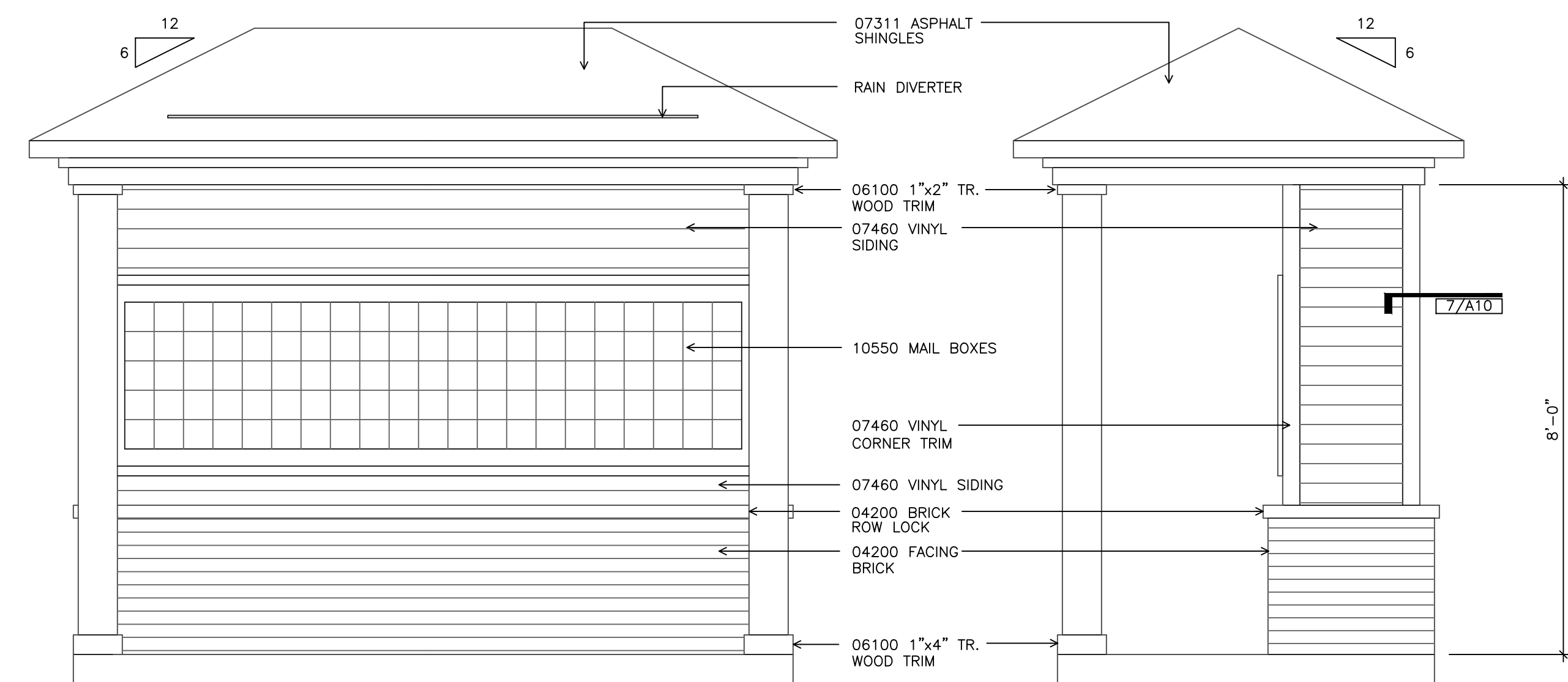


6 BRICK COLUMN PLAN
A08 1" = 1'-0"

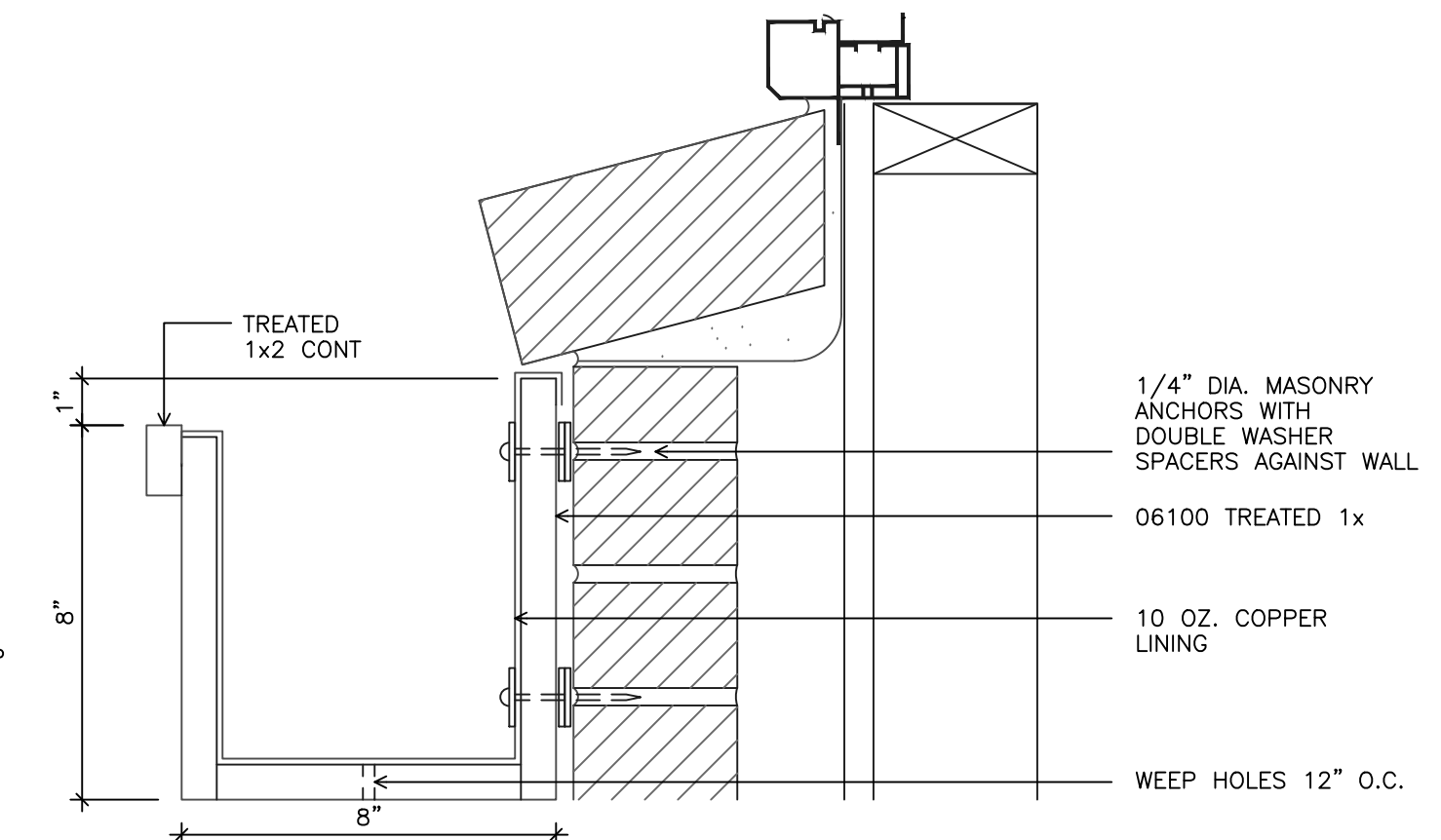


7 BRICK COLUMN ELEVATION
A08 1" = 1'-0"

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



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



9 PLANTER
A10 3" = 1'-0"

June 16, 2022

Mr. Matt Mosley
City of Opelika Planning Director
204 South 7th Street
Opelika, AL 36801

RE: CUP Extension Request
Jack Johnson – 300 Block Samford Avenue
Climate Controlled Mini-Warehouse Facility

Dr. Mr. Mosley:

Due to unforeseen circumstances, including general timing and material prices, we have been unable to begin development of the proposed facility at the above referenced site. It is still our intent to develop this property as soon as possible. However, we will require an extension of the CUP approved in 2019.

Please let this letter serve as our formal request for extension, for a period of one year, starting from the current expiration date of June 24, 2022.

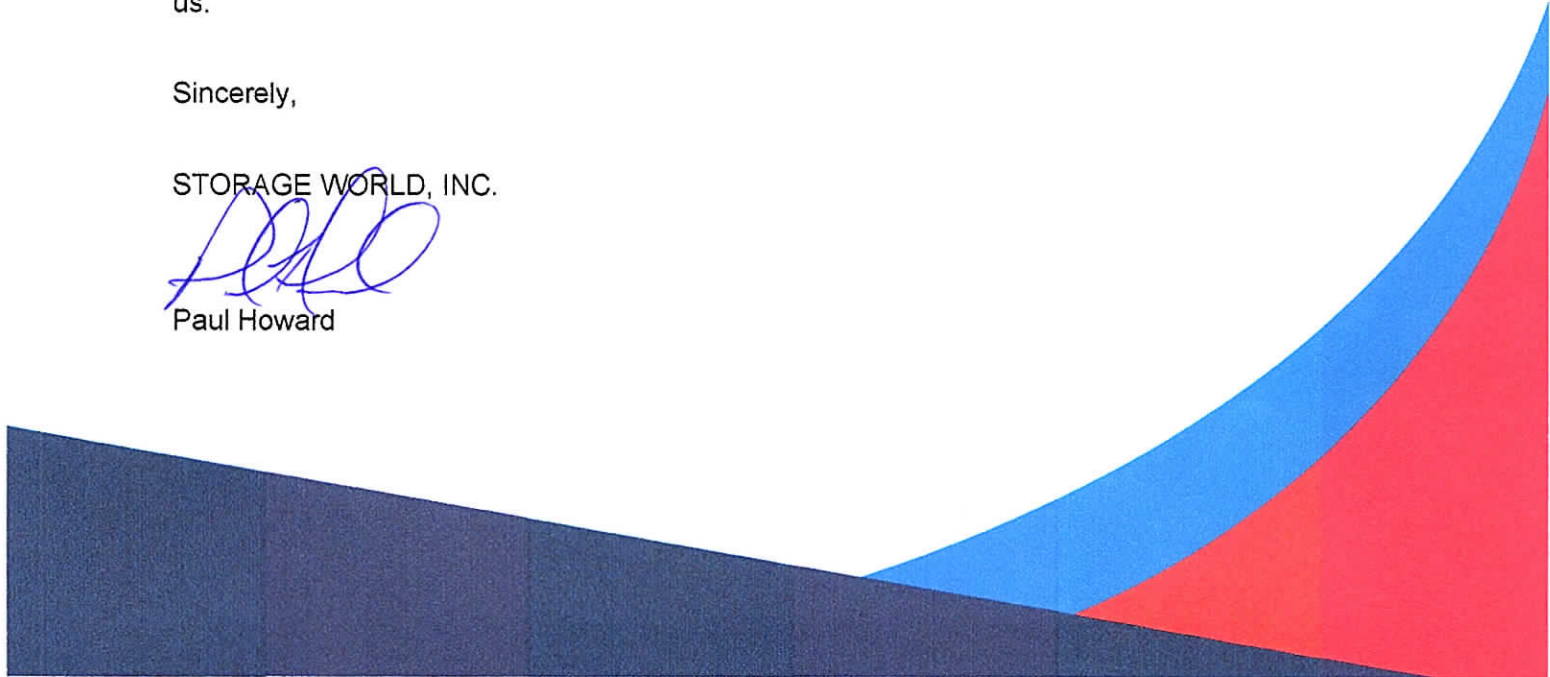
If you have any questions, or need anything further from us, please do not hesitate to contact us.

Sincerely,

STORAGE WORLD, INC.



Paul Howard



City of Opelika
Planning Commission
Planning Department Report

Meeting Date: August 23, 2022 (Approved August 24, 2021)

Agenda Item #: D-12

Action Requested: **Extend** Conditional Use – Climate-controlled mini-warehouses

Location of Property: 300 block of Samford Avenue

Property Owner(s): Opelika East, LLC
Jack Johnson, Storage World, Inc., representative
Paul Howard, Storage World, Inc., representative

Current Land Use: Undeveloped

Current Zoning: C-2, GC-S

**Surrounding Zoning Districts
And Land Uses:**

North	R-4/C-2, GC-S	Residential/ Church
South	C-2	Commercial (Charter Cable)
East	C-2, GC-P	Residential/Vacant
West	C-2, GC-P/R-5	Residential

Minutes from the August 24, 2021, Planning Commission Meeting

D. CONDITIONAL USE – Public Hearing

3. Jack Johnson, 300 Block Samford Avenue, C-2, GC-S, Climate-Controlled Self-Storage building

Mr. Mosley reported this agenda item received conditional use approval at the August 2019 Planning Commission meeting. The approval was for a 98,400 square foot (sf) two-story climate controlled mini-warehouse building on 13.7 acres. A second storage building (one story, 25,875 sf) was also shown on the 2019 site plan as a future phase. The 2019 conditional use approval has expired and the applicant is now reapplying for the development. The site plan reviewed today has changed from the site plan approved in 2019.

The applicant was able to reshape the detention pond so more space is added to the rear yard. The extra yard space allowed for a longer building for more storage units. The two-story climate controlled mini-warehouse building is 67 feet longer than the 2019 storage building. In 2019 the building length was 293 feet long; now the building is 360 feet long. The width of the building, or the front wall width facing Samford Avenue, has not changed. The 2019 building width was 190 feet and the width today is 190 feet. In 2019, the total floor area of the two-story storage building, first and second floors, was 98,400 (sf); the total floor area today is 136,624 sf, an increase of 38,224 sf. The footprint of the two-story building today is 68,400 sf (1.57 acres) on a 13.7 acre parcel.

The future phase one-story storage building is also shown on the site plan. The building is 29,900 sf (130'x 230') with an estimated 190 storage units. The applicant said it will be several years before the building is constructed. At that time, the site plan will be revised so minimum parking spaces and landscaping are provided to meet requirements.

Minimum off-street parking requirements for a self-storage mini-warehouse is one parking space per 10 storage unit; the site plan shows 100 parking spaces. The applicant said the size of storage units (5x10, 10x10, etc.) are driven by market demand and the applicant may be converting sizes of storage units to meet the customer's demand. The two

story building will have 970 storage units; 100 parking spaces are provided on the site plan. Minimum parking spaces are met for the two story building.

The landscape plan meets minimum requirements concerning total points: 501 total points required and 546 points obtained. A 15' parking lot buffer is added along Samford Avenue as required. A residential buffer is required along the Opelika Housing property line that touches this development; the landscaping shown is elm trees only; the buffer must consist of one of three options provided in the Landscape Regulations¹.

As described above, the 293 foot building length proposed in 2019 has changed to a building 360 foot long. The front elevation facing Samford Avenue is the same 190 foot width with the same exterior materials and store front windows as approved at the August 2019 meeting. Staff believes the building increase is minimal since the increase is in the rear yard area.

The office has moved to the center and the applicant has come back and stated that it would be clear glass, it would be visible inside so they will keep it nice and professionally maintained inside what is visible from the street.

The front elevation is shown below as presented at the 2019 meeting. The building front wall will be painted brick with glass store front windows. These windows will create the appearance of a storefront but will be completely opaque. The building will also have some breaks in the roof-line which will cause it to appear as multiple buildings. This helps bring this very large building into better scale with the surrounding properties. In the rendering below it shows the storage office on the left side located within the gable front. Now, the office will be relocated to the middle of the building; The gable roof, wall sign, and canopy will be moved to the center of the building; the store front windows will be evenly distributed on each side of the gable roof.

The side wall exterior material will consist of brick and EIFs extending 90 feet along each side wall to meet requirements; the brick and EIFs will start at the front corner of the building on both sides. Then, metal siding will be installed on the remainder (270 feet) of the side walls.



Recommendation:

Staff recommends approval subject to the following:

1. An easement that intersects one of the buildings needs to be vacated and/or relocated. The applicant is aware of the easement and is preparing to relocate the easement.

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

2. Approval for the future phase, one-story building requires the site plan revised so the minimum parking spaces and landscaping requirements are met.
3. Revise the residential buffer along the adjacent Opelika Housing Development property to meet one of the residential buffer options as provided in Section IX Landscape Regulations.

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

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

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this use by a water main in the R.O.W. of Samford Avenue.

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

Chairman Cherry opened the public hearing.

Jack Johnson, Jr., 2919 Mockingbird Circle, stated thank you for hearing us again on this matter. It was approved in 2019 as Mr. Mosley stated. Number one, we didn't know that it would expire and number two, when we were purchasing the property there was an issue with title. We went through the courts to clear up the clouds with that. That took a while and right when that was over the pandemic hit so we kind of hit pause for a little bit. That's why we're before you again so thanks for hearing us again. To add just a little bit to what Mr. Mosley said, at the time when we got the original request in we had a boundary survey but we didn't have a full topographic survey. So, once we got that and did the engineering we were able to size the pond and the pond took up a lot less space than we had originally estimated so we were able to get some more depth to the building. That's one of the main reasons for the change in the building depth. As you see it from the street the width will still be the same. Mr. Mosley showed the elevations there and we did move the office building part of it to the center of the building, but the look will be the same as that rendering with that white painted brick and there's some stucco elements and glazing in the front. I'm here to answer any questions that you might have.

Chairman Cherry closed the public hearing.

Mayor Fuller made a motion to grant conditional use approval with staff recommendations.

Mr. Hilyer seconded the motion.

Mr. Silberman asked is the entire building two story? I'm looking at it and it looks like it's one story and then two story behind that hip part of the roof.

Jack Johnson stated it's an over and under so the way the topography of the land is, one side you'll be able to drive up and access the top floor and the other side you'll be able to access the bottom floor so there's no need for an elevator.

Ms. Cannon asked is it fenced?

Jack Johnson, Sr., Storage World, stated probably not, we're going more away from fences. There is a privacy fence between the property to the east of us, but their probably won't be a security fence. All the doors will have a keypad entry instead of a fence.

Ms. Cannon asked and does this follow our gateway building standards?

Mr. Mosley stated yes ma'am it does. The Gateway Corridors require the improved materials and you have materials that we have allowed before. The brick is definitely one, the glass with storefront windows are allowed, the EIFs is a simulated stucco and that is something that is generally approved although that is at the Commission's discretion. The entire frontage is required to meet the material requirements and then it's either 25 feet on the side or up to a quarter of the building is required to meet the side material, so it has to turn the corner with the materials and this does meet that requirement.

Ms. Cannon stated we typically have to approve that EIFs.

Mr. Mosley stated yes ma'am you do, it's a fairly common material. Especially as they use it here, they don't have it on the ground which is where we run into trouble with that because it can sometimes get water in it or it often can get beat up by weed eaters and things like that. As a material above the base its typically a pretty good material.

Ms. Cannon stated we just have one shot of getting this right for twenty years from now.

Mr. Mosley stated yes ma'am.

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

Nays: None.

Abstention: None.

Proposal

This agenda item received conditional use approval at the August 2019 Planning Commission meeting. The approval was for a 98,400 square foot (sf) two-story climate controlled mini-warehouse building on 13.7 acres. A second storage building (one story, 25,875 sf) was also shown on the 2019 site plan as a future phase. The 2019 conditional use approval has expired, and the applicant received approval of a revised site plan on August 24, 2021 (minutes in italics in this report). **The revised site plan conditional use request was approved on August 24, 2021, and the applicant is asking for a one-year extension on the exact approved plan from the August 24, 2021 Planning Commission Meeting.**

August 24, 2021, report presented to the Planning Commission:

The applicant was able to reshape the detention pond, so more space is added to the rear yard. The extra yard space allowed for a longer building for more storage units. The two-story climate controlled mini-warehouse building is 67 feet longer than the 2019 storage building. In 2019 the building length was 293 feet long; now the building is 360 feet long. The width of the building, or the front wall width facing Samford Avenue, has not changed. The 2019 building width was 190 feet and the width today is 190 feet. In 2019, the total floor area of the two-story storage building, first and second floors, was 98,400 (sf); the total floor area today is 136,624 sf, an increase of 38,224 sf. The footprint of the two-story building today is 68,400 sf (1.57 acres) on a 13.7-acre parcel.

The future phase one-story storage building is also shown on the site plan. The building is 29,900 sf (130'x 230') with an estimated 190 storage units. The applicant said it will be several years before the building is constructed. At that time, the site plan will be revised so minimum parking spaces and landscaping are provided to meet requirements.

Minimum off-street parking requirements for a self-storage mini warehouse is one parking space per 10 storage unit; the site plan shows 100 parking spaces. The applicant said the size of storage units (5x10, 10x10, etc.) are driven by market demand and the applicant may be converting sizes

of storage units to meet the customer's demand. The two-story building will have 970 storage units; 100 parking spaces are provided on the site plan. Minimum parking spaces are met for the two-story building.

The landscape plan meets minimum requirements concerning total points: 501 total points required, and 546 points obtained. A 15' parking lot buffer is added along Samford Avenue as required. A residential buffer is required along the Opelika Housing property line that touches this development; the landscaping shown is elm trees only; the buffer must consist of one of three options provided in the Landscape Regulations².

As described above, the 293-foot building length proposed in 2019 has changed to a building 360 foot long. The front elevation facing Samford Avenue is the same 190-foot width with the same exterior materials and store front windows as approved at the August 2019 meeting. Staff believes the building increase is minimal since the increase is in the rear yard area.

The front elevation is shown below as presented at the 2019 meeting. The building front wall will be painted brick with glass store front windows. These windows will create the appearance of a storefront but will be completely opaque. The building will also have some breaks in the roofline which will cause it to appear as multiple buildings. This helps bring this very large building into better scale with the surrounding properties. In the rendering below it shows the storage office on the left side located within the gable front. Now, the office will be relocated to the middle of the building; The gable roof, wall sign, and canopy will be moved to the center of the building; the store front windows will be evenly distributed on each side of the gable roof.

The side wall exterior material will consist of brick and EIFs extending 90 feet along each side wall to meet requirements; the brick and EIFs will start at the front corner of the building on both sides. Then, metal siding will be installed on the remainder (270 feet) of the side walls.

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.



Recommendation:

Staff recommends approval subject to the following:

- 1. An easement that intersects one of the buildings needs to be vacated and/or relocated. The applicant is aware of the easement and is preparing to relocate the easement.**
- 2. Approval for the future phase, one-story building requires the site plan revised so the minimum parking spaces and landscaping requirements are met.**
- 3. Revise the residential buffer along the adjacent Opelika Housing Development property to meet one of the residential buffer options as provided in Section IX Landscape Regulations.**

Engineering Department Report

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

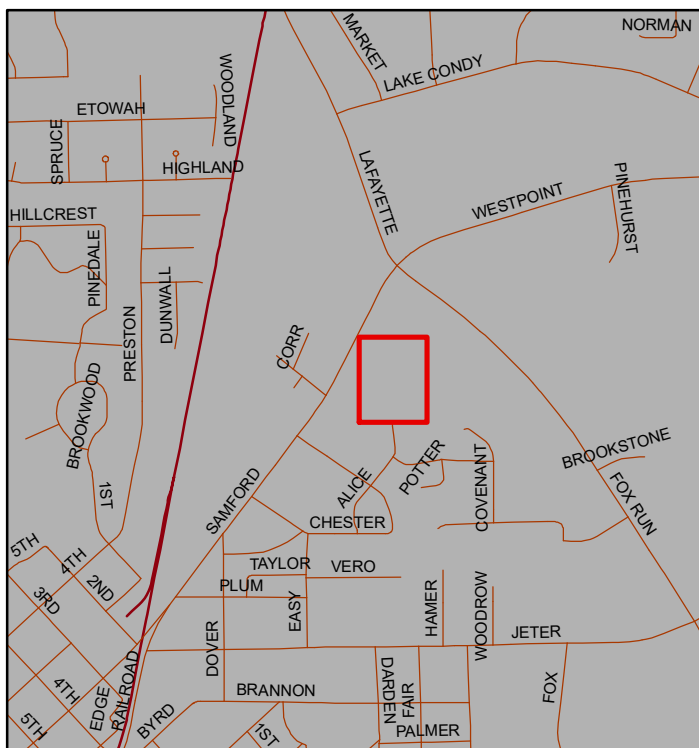
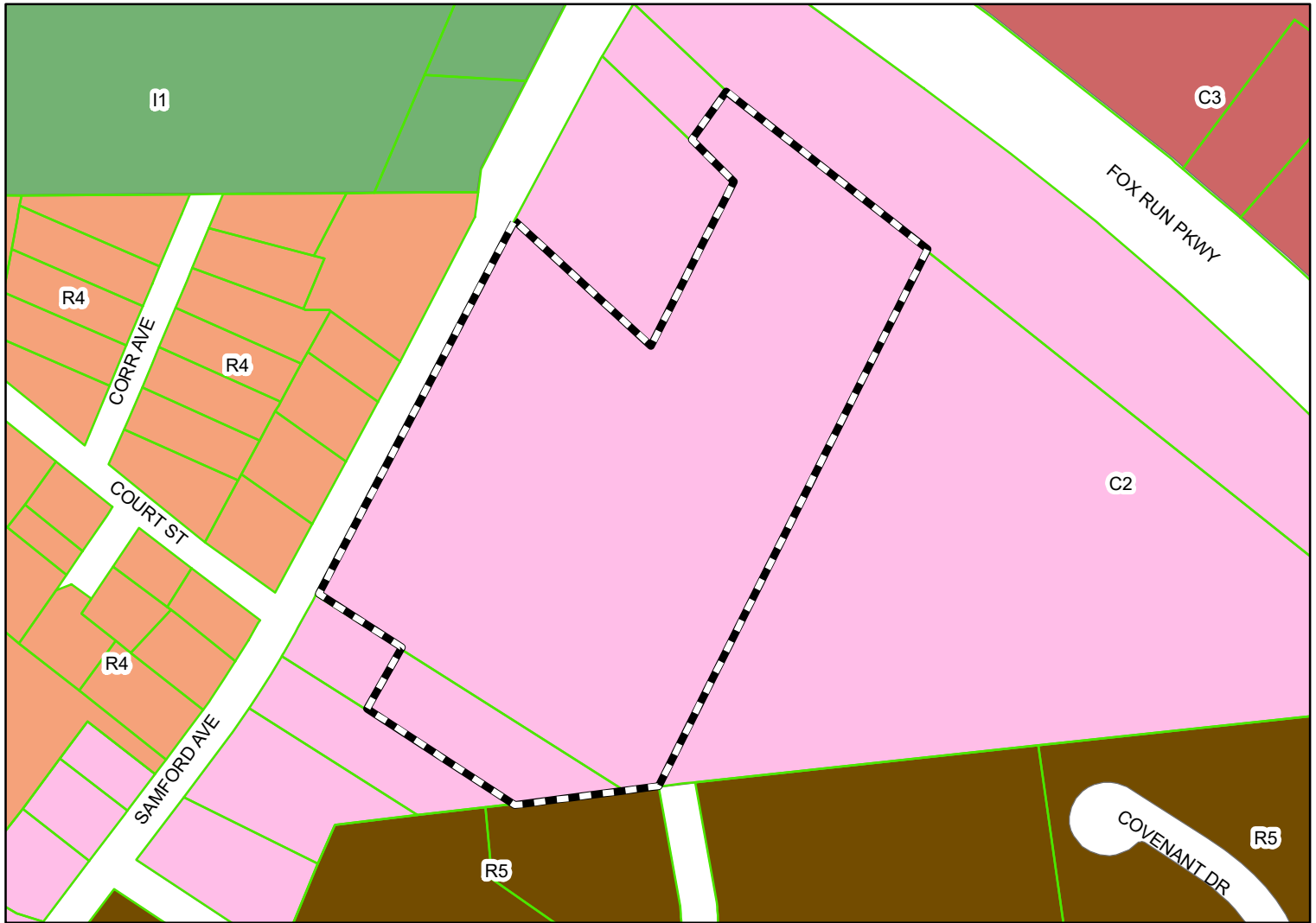
Opelika Utilities Board Report

No comments.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

**CLIMATE CONTROL MINI-WAREHOUSE FACILITY
300 BLOCK SAMFORD AVENUE
CONDITIONAL USE, E-12**



The applicant is requesting a one year extension for a conditional use approval starting at June 24, 2022. The CU approval is for a 700+ unit self-storage facility. The subject property is in a C-2, GC-S zoning district.



Subject Property

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