



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

300 Martin Luther King Blvd.

November 23, 2021

TIME: 3:00 PM

- A. APPROVAL OF MINUTES
- B. UPDATE ON PREVIOUS PC CASES
- C. REZONING AND PLAT (Preliminary Only) - Public Hearing
 - 1. Rezoning Request, Blake Rice, representative, 160.2 acres, 900 block North Uniroyal Road, from R-2 to PUD
 - 2. Laurel Lakes SD (Flatiron Farms), 376 lots, North Uniroyal Road and Ridge Road, Blake Rice, Preliminary Approval
- D. CONDITIONAL USE AND PLAT (Preliminary and Final) - Public Hearing
 - 3. Brandon Kohn and Jon Williamson, 3900 Marvyn Parkway, C2, GC-P, 6 townhome units
 - 4. Cove Creek Phase 1, Redivision of Lot C, 6 lots, 3900 Marvyn Parkway, Brandon Kohn and Jon Williamson, Preliminary and Final Approval
- E. FINAL PLAT
 - 5. Hidden Lakes 3 SD, 91 lots, Hidden Lake Drive, Blake Rice, Final Approval
 - 6. Foxrun SD, Phase 1C, 42 lots, Village Drive and Burrow Circle, Daniel Holland, Final Approval - *Tabled at the October 26th PC meeting*
- F. CONDITIONAL USE - Public Hearing
 - 7. Richard Patton, 408 1st Avenue, C2, Multi-Family Residential
- G. MASTER PLAN REVISIONS - Public Hearing
 - 8. Wyndham Gates PUD Master Plan, Major Amendment to Master Plan, Gateway Drive, Dino McDowell, Amendment to replace single family homes shown on the original master plan with 17 townhomes
 - 9. Springs of Mill Lakes PUD Master Plan, Minor Amendment to Master Plan, 1270 Willow View Drive, Blake Rice, Amendment to reduce the 40 foot minimum front yard setback for 16 lots along Birmingham Highway to a 30 foot minimum

setback. Covered patios extending from the exterior wall that faces Birmingham Highway requires a minimum 30 foot setback. The 16 lots are accessed from interior private streets.

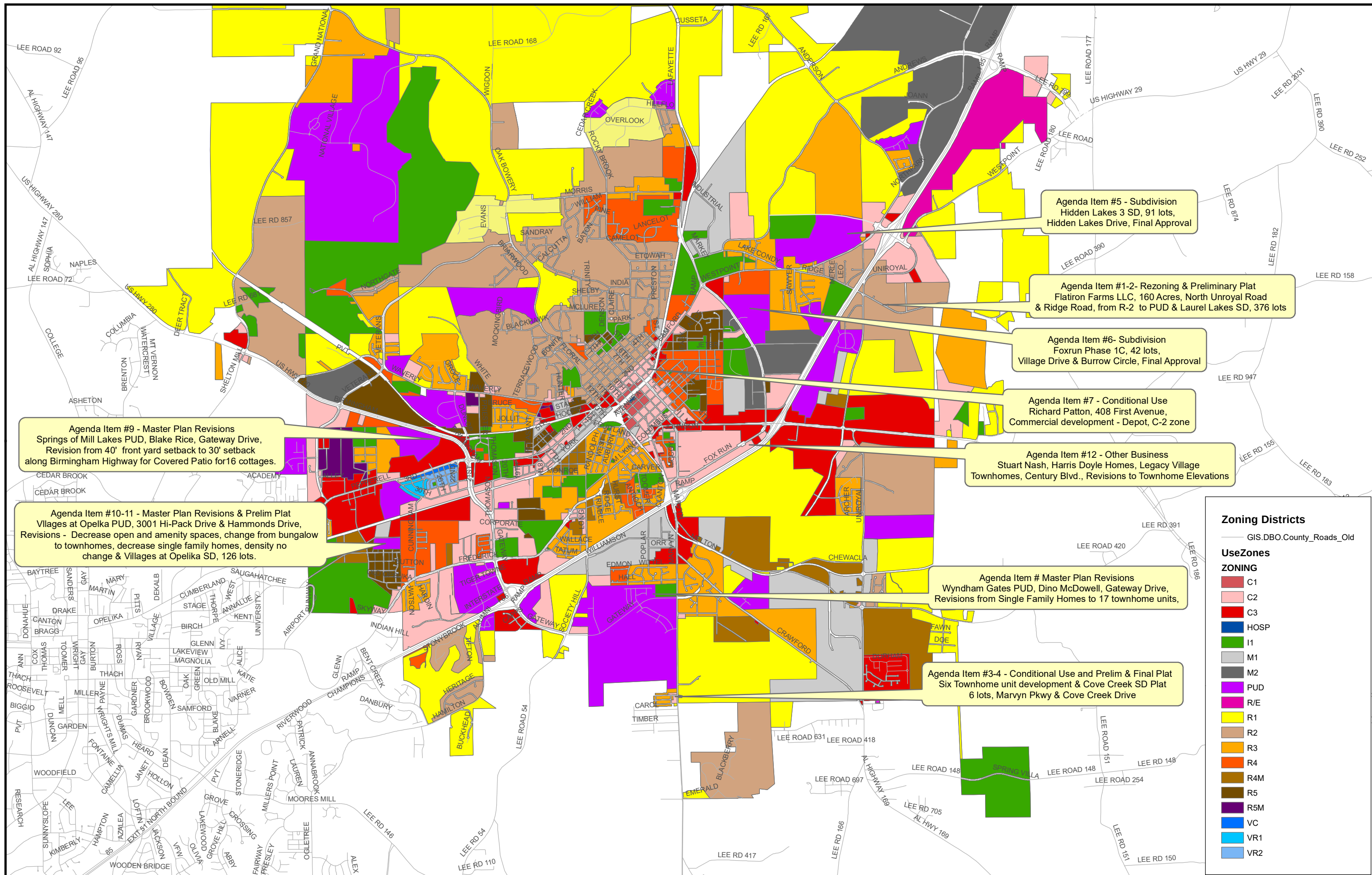
H. MASTER PLAN REVISIONS AND PRELIMINARY PLAT - Public Hearings

10. The Villages at Opelika PUD Master Plan, Minor Amendment to Master Plan, 21.9 Acres, 3001 Hi-Pack Drive and Hammonds Drive, SP Opelika Ventures, LLC, Amendment modification of the type and arrangement of open space and amenity space, changes dwelling types from bungalow to twin homes, decreases single family homes; reduction in overall density.
11. The Villages at Opelika SD, 126 lots, Hi Pack Drive and Hammonds Drive, Brian Lee, Preliminary Approval

I. OTHER BUSINESS

12. A request by Stuart Nash with Harris Doyle Homes, representative for Clayton Properties Group, Inc. property owner, concerning revisions to the building elevation plans for the Legacy Village Townhomes, Century Boulevard, 55 units. The townhome development was granted conditional use approval at the December 15, 2020 Planning Commission 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)705-2083.”





PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

October 26, 2021

TIME: 3:00 PM

A. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting October 26, 2021 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, Dr. Arturo Menefee, Mrs. Leigh Whatley, Ms. Lucinda Cannon, Mr. Michael Hilyer, and Mr. Derek Lee.

MEMBERS ABSENT: Councilman Robert Lofton.

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 September 28, 2021

RESULT: **Passed**

MOVER: Director Mike Hilyer

SECONDER: Leigh Whatley

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

B. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated the sign regulations that the Planning Commission recommended at their last meeting will go before the City Council for first reading and public hearing on November 2, 2021. They held a public hearing for the Blackberry Reserve property but did not take action, so we are waiting for more clarification from the City Council on that item. Next Wednesday, November 3rd, at 6:30 p.m. at the new Opelika Public Library we are going to have our consultants in for a community visioning workshop to create a unified vision for what we would like to see Opelika become through our comprehensive

plan over the next 20 years. The next morning, on November 4th, there will be a business community center workshop at 8 a.m. This is also at the Opelika Public Library and Chambers is helping us host. There will be a few small workshops going on at the Opelika Public Library over the next few days. Those are similar to the workshops that you and the City Council did in the early part of the Comprehensive Plan process and those will be available for people to drop in at 8 a.m., 12 p.m., and 6 p.m. on October 27th, and at 2 p.m and 5 p.m. on October 28th. Those are open to individuals, small groups, and anyone who would like to come provide input into the comprehensive plan.

C. PLAT (Preliminary and Final) - Public Hearing

1. RaceTrac Opelika, SD, 5 lots, 1109 Columbus Parkway, Bert Boykin and Martin Evans

Mr. Mosley reported, an administrative subdivision is acceptable to approve for this plat, but the applicant explained that the property is under contract until final approval to combine five lots into one lot is complete. The five lots combined is one 6.35 acre lot shown as Lot 1 on the plat. A RaceTrac gas station is planned for the lot that includes a convenience store and truck stop (15 semi-truck parking spaces). At the May 25th meeting, the Planning Commission granted conditional use approval subject to conditions 1. The existing buildings (Durango restaurant, Motel 6, and Days Inn) show on plat will be removed. Construction of RaceTrac will begin in 2022. The plat meets subdivision plat requirements.

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

1. Add a note that the existing buildings will be demolished and removed.
2. There may be a chain-link fence encroachment along a portion of the west property line; surveyor needs to show fence encroachment on plat.
3. In the standard Opelika easement note, insert “The City of Opelika and” between “granted to” and “any telephone companies...”.

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1. City Council approving rezoning of the R-1 lot to C-3, GC-P.
2. Provide a subdivision plat that combines the five lots into one lot.
3. Decrease the impervious surface area (hard surface) on the property so the impervious surface does not exceed the maximum 70% requirement.
4. Enclose dumpster with an opaque fence and gate at a height so the dumpster is not visible outside the enclosure.

Mr. Parker reported for Engineering, all of the Opelika Surveyors comments have been addressed and the submitted plat meets all Subdivision and Public Works Manual requirements. The Opelika Engineering Department recommends preliminary and final plat approval.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible by Anaand Street.

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

Chairman Cherry opened the public hearing

Bert Boykin, 2001 Park Place N Suite 540 Birmingham, AL, stated with me this afternoon is Samee Ali from RaceTrac. You guys are familiar with our project through the conditional use approval and the rezoning, so I won't rehash any of that or what Mr. Mosley has already described. Samee Ali and I are here if anyone has any questions and we appreciate your time and ask the commission to vote in favor of final plat approval. Thank you.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Director Derek Lee

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

D. MASTER PLAN REVISIONS AND PRELIMINARY PLAT - Public Hearings

2. The Villages at Opelika PUD Master Plan, Minor Amendment to Master Plan, 21.9 Acres, 3001 Hi-Pack Drive and Hammonds Drive, SP Opelika Ventures, LLC, Amendment decreases size of open space and amenity space, changes dwelling types from bungalow to twin homes, decreases single family homes; no increase in overall density.

Mr. Mosley reported, the applicant is requesting to amend the PUD and master plan for the Villages of Opelika. The subject property is approximately 21.9 acres and located at the current terminus of Hi-Pack Drive.

Approved PUD: The original PUD was recommended by the Planning Commission to City Council on June 23, 2020 and approved by City Council on September 1, 2020.

The previous master plan included 148 residential units. This includes 94 single family homes, 34 twin homes/ townhomes, and 20 small bungalows. Overall, the development would have a density of 6.75 units per acre. The applicant has stated that this development would be intended to try to mimic the Pepperell Mill Village with smaller homes and smaller lots.

That development has an amenity space located across from Hammonds Drive. The provided rendering shows this area having a pool and tower. It also included large section on the eastern and northern properties that have large easements that

could potentially be used for open space. There is also a common area behind the homes in one of the interior blocks. Overall, it showed approximately 260,000 square feet of area that was listed as open space or undeveloped including detention ponds.

The development proposed a mixture of small housing types including single-family homes, twin-homes and bungalows. The units were scattered throughout the development on very small lots well below other lots in the area. The applicant proposed a very inviting architectural style that provided variety and distinct types. The units did not have garages. Each unit also provided a front door and first floor windows that addressed the street and the units all had porches similar to many similar types of housing historically found in Opelika. The units and development were designed to create community and neighborhood interaction.

Housing type/style shown in approved PUD

Proposed PUD: The proposed master plan and PUD contain 91 single-family lots and 35 townhouse lots totaling 126 total units. The small bungalows have been removed completely. With the reduction of 22 units, the new development would have a density of 5.75 units per acre. The townhouse type has moved from a two unit set to four plus unit groups much more like traditional townhomes. This design generally increases the lot size of each unit, usually by reducing the amount shared open space in many areas. Thus giving more private yard space of commonly shared spaces. Another significant change to the PUD is the style of housing being proposed. As previously mentioned, the approved PUD showed homes with very classic features include strong architectural elements that addressed the street and community. The proposed homes appear to be very similar two story boxes. Whereas the dominant feature on the previously shown homes was a front porch, the proposed units are dominated by garages. This makes the home look like its designed more for a vehicle instead of a person.

The proposed PUD contains approximately 275,000 square feet of open or undeveloped space. However, the space has been reshaped to a degree. As previously mentioned much of the useable open space has been moved into private yards. Amenity B was shown in the original concept as a large amenity space with a pool and tower. This space is approximately 15,886 square feet. Previously, this area was almost 2.5 times larger and the center piece to the development. The proposed area now may be large enough for a small pool and clubhouse, but very little else. The area shown behind Lots 70-80 and 81-91 was shown as a shared common area. This space has now been absorbed into the private backyards. The new plan still shows the large open space along Hi Pack Drive and on the east side of the property. These areas might be slightly larger than previously shown. However, it is not clear how useable these areas would be, if at all. They both contain significant utilities. These areas are largely unbuildable no matter what development occurs on this property.

The street configuration has been somewhat simplified but is still largely consistent with the proposed plan. The applicant is showing external connections to Hi Pack Drive and Hammonds Drive. The original PUD also included requirements for sidewalks on both sides of the street along residential or amenity locations. The development also includes two private streets.

The PUD also required large buffers against the north, south and west property lines. The north and south buffers were required to meet the residential buffer requirements of the zoning ordinance. The setbacks are consistent with the buffers, but the plat should note them as buffers as well. Additionally, the development is required to have one (1) canopy tree per residential lot. This should either be in the front yard or in the right-of-way with city approval.

Overall, the density and general street layout are consistent to approved PUD. The single-family lots exceed the minimum standards. However, the development was originally contemplated with a strong emphasis on community, design, open space and amenities. This plan changes the unit types and moves more of the common space into individual lots. Many of the features that were intended to create a traditional neighborhood or promote interaction between neighbors have been diminished or removed completely. Initially, staff had concerns about some of the small lot sizes in relation to what was conventionally allowed within the city. We felt this was best mitigated through the large amenities/open space areas and emphasis on design and character. While this plan generally increases those lot sizes they are still well below conventional standards in the city. However, much of the desirable features are now gone.

Staff Recommendation: Staff believes that the proposed master plan is inferior to the previously approved plan. **Staff recommends denial of amendment.** Should the Planning Commission approve this amendment, staff recommends the following conditions from the initial approval be continued.

1. Provide sidewalks on both sides of each street adjoining an amenity or residence.
2. All utilities shall be underground.
3. Connections to Hi-Pack Drive shall be coordinated with the City Engineer.
4. Residential buffers found in Section 10.6.D1 of the zoning ordinance shall be required on the northern and southern property lines.
5. One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.
6. No sideyard on street setbacks along public right-of-way shall be less than six (6) feet.
7. Open space shall be clearly marked and the use and maintenance shall be noted.
8. The buildings will match the architectural style and character of the provided renderings.
9. No vinyl or metal siding shall be used.
10. All parking adjacent to the street shall be the responsibility of the developer or homeowners association.

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

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

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.

Brian Lee, Engineer, stated I was brought on after the PUD was put together. There were several changes to the plans. The bungalows were removed due to cost per square foot. You can get a townhouse for the same price but you get a bigger square foot and a garage, so that's why those were removed. The amenities were made smaller but the overall greenspace was increased; the density was 6.75 units per acre and now it's 5.75 units per acre. The garages were added because with the density we have, we believe the garages will make a cleaner subdivision. It will help with parking and you can store trashcans and a lawnmower and have a cleaner appearance. Mr. Mosley were there any other differences?

Mr. Mosley stated the primary differences are the density goes down, the open space is increased but it changes how its laid out, and the housing type changes.

Brian Lee stated those were the changes, those were Mr. Mosley's concerns, and that is our response to them. We understand what his concerns are.

Ms. Cannon asked is the amenity area a playground or a detention area for water?

Brain Lee stated it's just grass right now.

Ms. Cannon stated it's just a grassy area in peoples' back yards where their children can go play. The townhouses look like they're just a one-car garage. Is that right?

Brian Lee stated yes ma'am.

Ms. Cannon asked because people put their stuff in the garage and they're going to have one car parking in the parking lot, where is the other car going to park?

Brian Lee stated ideally we will have two vehicles per home. One will be in the garage, the other one in the driveway, and visitors will be on the street. If they don't park in the garage there will be one in the driveway and one in the street.

Ms. Cannon stated I know what the design is for but the design does not always work as intended. Where would the second car park because the driveway is not going to be big enough for two cars.

Brian Lee stated it's meant to make it in the garage. Some people have big mowers and things like that but these will be more starter homes and I don't know if they will have all that type of equipment and stuff.

Ms. Cannon asked is there on street parking?

Brian Lee stated yes.

Mr. Mosley stated it won't be striped on street parking but I think the roads will

be wide enough that you can park on the opposite side of the street.

Ms. Cannon stated they're interesting houses, but you know how people have stuff.

Chairman Cherry closed the public hearing.

Motion to Deny the Amendment to Master Plan

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

3. The Villages at Opelika SD, 131 lots, Hi Pack Drive and Hammonds Drive, Brian Lee, Preliminary Approval - *Tabled at September 28th PC meeting*

Mr. Mosley reported, the applicant is requesting preliminary plat approval for a 131 lot subdivision. The subject property is approximately 21.92 acres located with a PUD zoning designation. The proposed subdivision contains 91 single-family lots, 35 townhome lots, two amenity lots, two private street lots, and one lot designated as acreage. The approved PUD included 94 single-family lots, 20 single-family bungalows and 24 townhome units shown as twin homes. The current plat shows a reduction of overall density and unit count.

The 91 single-family lots exceed the minimum size of 2,800 square feet and 35 ft width. Most of the lots are 42 feet in width and between 3,300 square feet and 4,400 square feet. The townhome lots are similar to the townhome/twinhome concept in the PUD. The minimum standards for these are 20 foot in width and minimum lot size of 1,100 square feet. These lots exceed this standard. The townhouse lots were originally shown in the PUD as two unit groups. The new plat shows an odd number of units on each block which would prevent that configuration. It appears that these units may be more like traditional townhomes. There are also 35 of these units exceeding the 24 previously shown. The bungalow type is no longer present.

The original PUD showed a significant amount of open space and amenity space. This still shows large areas of open space. However, the useable space and central amenity space have been reduced in size. Amenity B was shown in the original concept as a large amenity space with a pool and tower. The exact size was not shown on the plan although it was lined by 22 parking spaces. This would be at least 198 feet in width. The new Amenity B space is only 87 feet in width, more than halving this space. The area shown behind Lots 70-80 and 81-91 was shown as a shared common area. This space has now been absorbed into the private backyards. The plat does not reference the type or ownership of the amenity spaces. The area along Hi-Pack drive is also currently designated as acreage. This needs to be noted as a parcel or lot. The amenity spaces should also note that they are unbuildable.

The street configuration has been somewhat simplified but is still largely consistent with the proposed plan. The applicant is showing external connections to Hi Pack Drive and Hammonds Drive. These will need to be constructed during development. The original PUD also included requirements for sidewalks on both sides of the street along residential or amenity locations. The development also includes two private streets. These locations will need to be labelled as lots or parcels in the final plat, as they are not part of the public right-of-way.

The PUD also required large buffers against the north, south and west property lines. The north and south buffers were required to meet the residential buffer requirements of the zoning ordinance. The setbacks are consistent with the buffers, but the plat should note them as buffers as well. Additionally, the development is required to have one (1) canopy tree per residential lot. This should either be in the front yard or in the right-of-way with city approval.

Overall, the density and general street layout are consistent to approved and proposed PUD. The single-family lots exceed the minimum standards. As previously mentioned in the request to amend the PUD and master plan, the open space and housing style changes are significant. This plat should only be approved if the master development plan is amended as proposed. Otherwise, the plat would not be consistent with the approved PUD.

Staff recommends denial of this plat based on the recommendation of denial in for the PUD amendment. If the Planning Commission approves the PUD amendment they should approve the plat subject to the following conditions:

1. The private streets and acreage should be noted as lots or parcels and labelled.
2. Provide sidewalks on both sides of each street adjoining an amenity or residence.
3. All utilities shall be underground.
4. Connections to Hi-Pack Drive and Hammonds Drive shall be coordinated with the City Engineer.
5. Residential buffers found in Section 10.6.D1 of the zoning ordinance shall be required on the northern and southern property lines.
6. Buffers need to be labelled on the plat.
7. One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way. This should be noted on the plat.
8. No sideyard on street setbacks along public right-of-way shall be less than six (6) feet.
9. Open space/amenities shall be clearly marked and the use and maintenance shall be noted.
10. Note that open space or amenity lots are unbuildable.
11. Note which lots will be townhouse lots

Mr. Mosley stated as the Planning Commission has denied the Amendment to the Master Plan, it would be my recommendation that they also deny this plat based on it not being in conformance with the PUD. The other option is the applicant

could withdraw it.

Mr. Gunter, City Attorney, stated it's inconsistent with the zoning.

Chairman Cherry asked will the developer have to withdraw it?

Mr. Mosley stated you could either deny it for not being consistent with that, or the developer could withdraw it, which may be a better option at this time because that would allow you to bring it back sooner.

The item was withdrawn by the applicant.

E. FINAL PLAT

4. Oak Bowery Pines SD, Phase 2, 12 lots, 1301 Oak Bowery Road, Blake Rice, Final Approval - *Tabled at the September 28th PC meeting*

Mr. Mosley reported, this agenda item was tabled by the applicant at the September 28th PC meeting. The applicant is requesting final plat approval for a 12 lot subdivision in the Saugahatchee watershed. Preliminary approval was granted at the April 2020 Planning Commission meeting.

The lots range in size from 3 to 4 acres exceeding the three-acre minimum lot size required in the Saugahatchee watershed. Lot 1 and Lot 10 are corner lots on Oak Bowery Road and Hunt Lane (new street); access to Lot 1 and 10 is limited to Hunt Lane only to comply with access management requirements. Lots 11 and 12 have direct access to Oak Bowery Road; an existing single-family home is on Lot 11. All lots will have septic tanks systems; public sewer is not available.

As recommended on the preliminary plat, the final plat labels the buffer line on Lots 4 to 7 - "*Flood Plain and Protected Creek Buffer.*" The buffer line is also the boundary line of Flood Zone A. New development is not allowed in the buffer to minimize impervious surface runoff to the creek. Also, a 30 foot minimum building setback is required from the buffer line to reduce stream pollution. These requirements in the Subdivision Regulations promote best management practices in the watershed.

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

1. Add a note on plat that a 30 foot minimum setback is required from the stream buffer line to all structures.
2. Add a note that direct access from Lots 1 and 10 to Oak Bowery Road is prohibited.

Mr. Parker reported for Engineering, all of the Opelika Surveyors comments regarding the plat have been addressed. The Engineering Department has been inspecting the construction and testing of the infrastructure in this subdivision. A Certification of Completion will be completed and signed by the Engineering and

Public Works Directors as soon as all the infrastructure completion items below have been met and a positive recommendation for approval will be given:

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

If these requirements are met, the Engineering Department recommends final plat approval.

Mr. Parker reported for the Opelika Utilities Board, water system improvements have not been accepted by Opelika Utilities at this time.

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

Motion to grant final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Arturo Menefee

DISCUSSION: Mr. Silberman asked what is the area directly behind it to the east that is white on the map?

Mr. Mosley stated that means that it's located in unincorporated Lee County. I believe there was a proposal for a development there about seven or eight years ago that wasn't ever approved and so that property is still inside the County.

Mr. Silberman asked how is it zoned?

Mr. Mosley stated it's not zoned, it's in the County.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

5. ~~Foxrun SD, Phase 1C, 42 lots, Village Drive and Burrow Circle, Daniel Holland, Final Approval~~ ~~Tabled at the September 28th PC meeting~~ **Tabled**

This item was tabled at the applicant's request.

6. Windsor Village SD, 33 47 lots, NE corner of Waverly Pkwy & Veterans Pkwy, David Slocum, Final Approval

Mr. Mosley reported, the applicant is requesting final plat approval for 25.7 acres into a 47-lot subdivision located in a planned unit development (PUD). The master plan and zoning were approved by City Council on July 22, 2020, and a minor amendment by Planning Commission approved on July 28, 2020. The preliminary plat was approved by the Planning Commission on November 17, 2020.

This plat consists of 12 single-family lots, 30 townhome lots, and one commercial lot. The remaining lots are divided as follows: Lot 33 is 1.11 acres labeled common area to be used for an amenity lot, Lot 16 is 5.77 acres to be used as common area containing two ponds and wetland area, Lot 15 is 4.86 acres for future development of townhomes along the northeast corner of Windsor Drive, and Lot 14 is 4.93 acres for future development of single-family lots and common area to be used as an amenity. The single-family lots are located on the east side of Windsor Drive and on the eastern half of the property. These lots will have the following area standards:

Single-family detached standards

- Min. Lot size = 7,500 sf
- Min. Lot Width = 60 feet
- Front Setback – 15 feet
- Rear Setback – 25 feet
- Side Setback – 5 feet

All the single-family lots meet the minimum standards. The setbacks and other area standards should be noted on the final plat.

The townhome lots are located in front and rear portion of the development. The landscape plan shows trees between townhome buildings along Lakewood Lane, a 25 ft. landscape buffer along the outer edge of the development, and a residential buffer along Windsor Drive townhome lots. The townhome lots have the following standards:

Townhome lot standards

- Min. Lot size = 1,800 sf
- Min. Lot Width = 20 feet
- Front Setback – 15 feet
- Rear Setback – 25 feet
- Side Setback end units – 5 feet

The commercial lot is located on Lot 1 of the development and takes access from a separate driveway and is buffered from the single-family home lots. The landscape plan shows a residential buffer to separate the single family lots the commercial lot. The commercial lot has the following standards:

Commercial lot standards

- Min. Lot size = NR
- Min. Lot Width = 160 feet
- Front Setback – 15 feet
- Rear Setback – 25 feet
- Side Setback – 15 feet

All the townhome lots meet the PUD standards. The one commercial lot meets the minimum standards. The master plan shows walking trails, a future park, and a parking lot at the end of Lakewood Lane as amenities. The proposed plat is largely in compliance with the approved master plan and the subdivision regulations.

Staff recommends final plat approval subject to the following:

- The master plan requires a 25 ft. landscape buffer along all the outer edge of the property and should be shown.
- Where the townhome and commercial lots abut single-family lots a landscape buffer should be shown.
- Note the use, ownership, and maintenance of the common areas.
- Change the zoning in Note 6. to PUD.
- Underground utilities shall be required.
- Sidewalks shall be required on at least one side of the street.
- Identify adjoiners across Veterans and Waverly Parkways.
- Change Note 1. that states this property is in the City of Auburn.
- Change Note 14. to add remaining area or delete wording if not needed.
- Setback lines as shown on the plat maybe more easily conveyed through the notes than on individual lots as shown.
- Correct minimum setback notes for lots 17-47 to add side setback for end townhome units.
- Add minimum setback note for Lot 1 the commercial lot.
- Missing 10' drainage easements shown on the preliminary plat between lots 35-36 and between lots 39-40.

*PUD site plan with landscaping attached

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

- All drainage structures, curb and gutter, aggregate base and first layer of pavement have been placed.
- All sanitary sewer and water line have been installed. The test and inspection reports will need to be submitted and accepted and approved by the utility/Public Works Department.
- All stop and roadway signs will need to be installed.
- Performance Bond of 125% of the estimated cost remaining infrastructure including the final layer of asphalt and sidewalks will need to be submitted.
- Maintenance Bond of 25% of the estimated total infrastructure cost will need to be submitted.

- As-built documents of the roadway, and storm drain in the form of an Autocad and PDF digital file will need to be submitted to the Engineer Department. The required data should include location and elevations of all the inverts of the systems.
- The ROW and lots will need to be graded, and stabilized with seed and mulch, and other erosion/sediment control items will need to be added to protect against erosion and sediment issues.

If these requirements are met, the Engineering Department recommends final plat approval.

Mr. Parker asked Mr. Hilyer if the sewer has been tested.

Mr. Hilyer stated that a mandrel test is needed and street signs were not installed.

Mr. Parker stated so we are still waiting on some testing from the sanitary sewers and street signs. We're waiting on bonds and as-built documents, however we recommend this plat be approved at this time and we will hold signatures until those remaining documents come in.

Mr. Parker reported for the Opelika Utilities Board, water system improvements have not been accepted at this time.

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

Motion for final plat approval with staff recommendations

RESULT: Passed

MOVER: Arturo Menefee

SECONDER: Director Derek Lee

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

F. CONDITIONAL USE - Public Hearing

7. Vic Patel and Arthur Nettles, Parker Way, C-3, GC-P, Minigolf (Miniature golf course) - *Tabled at the September 28th PC meeting*

Mr. Mosley reported the applicant is requesting conditional use approval to construct a miniature golf course in a C-3, GC-P zoning district. This business is an outdoor recreational use including 18 holes of miniature golf with 3 volleyball courts, and a building with a club house and restaurant. The restaurant use is allowed by right in the C-3, GC-P zoning district provided it meets all the requirements. The property will have access from an extension of Parker Way.

The site plan shows a 1,500 square foot (sf) building on a 2.77-acre lot. The minimum building setbacks are met from all property lines. The building floor plan, height, and exterior materials are not provided at this time. This property meets the maximum 70% impervious surface ratio allowed; 29% of the property

will be impervious (71% pervious). Based on the information provided the miniature golf use requires 27 parking spaces and the restaurant requires 15 parking spaces for customers, the remaining 17 spaces could count for the employee parking requirements. The parking requirements may need to be revised depending on the number of employees on the busiest shift.

No exterior elevations have been submitted at this time. However, the applicant is working with an architect for this information. They have submitted photos to show how they expect the site to look. The exterior materials and cladding must meet the minimum requirements in the Section 7.6 Gateway Corridor Overlay District. The site plan shows a fence. The fencing material must meet the Section 7.6 Gateway Corridor Overlay District standards for fencing and screening, or the Planning Commission would need to approve the use of an alternate material such as wire mesh.

The landscape plan shows a total of 359 points. The minimum requirement for the site is 278 total points. A 10-foot front parking lot buffer is provided along Parker Way. A portion of this property adjoins an active mobile home park to the north, although this property is a C-2 zone, staff recommends a residential zone buffer provided in Section X Landscape Regulations along the entire length of the abutting mobile home park. This buffer is shown on the plan with 29 Green Giant Arborviate plants and a 6' wooded privacy fence. The size of trees and shrubs shown meets the minimum size requirements as provided in the Landscape Regulation.

A private dumpster location is shown behind the front face of the building. The screening must be approved prior to installation and enclosed with an opaque fence at a height so the dumpster is not visible outside the enclosure. All utility meters, air conditioning units and similar mechanical units shall be screened so as not to be visible from a public right-of-way.

The lighting must comply with the City's lighting requirements. In addition, staff recommends that all lighting be directed downward and shielded to prevent light from spilling over onto the other properties.

Staff feels the use is appropriate for this zoning as a conditional use. Staff recommends approving this conditional use application with the following conditions:

1. Final plat and construction of the road will be required prior to a Certificate of Occupancy (CO) being granted.
2. Provide the number of employees for each area on the busiest shift during site plan approval.
3. All utility meters, air conditioning units and similar mechanical units shall be screened so as not to be visible from a public right-of-way. All rooftop mechanical units shall be screened from the designated gateway corridor by a parapet wall or other means. Plans must be approved by relevant utility company for safety.
4. Provide elevations to show building exterior materials and cladding to meet the Section 7.6 Gateway Corridor Overlay District materials and cladding requirements.

5. Provide fencing type to ensure the Section 7.6 Gateway Corridor Overlay District requirements are met or an alternate must be approved.
6. All outdoor lights must comply with the City's lighting requirements. In addition, staff recommends that all lighting be directed downward and shielded to prevent light from spilling over onto other properties.

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 by Parker Way.

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

Chairman Cherry opened the public hearing.

Ledge Nettles, Baseline Surveying, stated I am here to see if you have any comments and answer any questions that you might have. They are trying to develop a newer, unique type of building and he is working with the architect right now. From what he has told me, I believe it would be kind of like the Wild Wing Café if you shrunk it down with the warehouse doors to go outside. It would be kind of a nicer version of that with the concrete floors is what they're telling me. I don't have anything better than what he has shown right there but that's what he's looking at. He knows he has to make it look nice and meet all the regulations and he'll probably exceed that.

Mr. Silberman asked if the roof was intended to be a hard roof or a canvas roof.

Ledge Nettles stated it is going to be a hard roof not a canvas roof, we talked about that. I told him that was not a very good picture of it.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: **Passed**

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

8. Micah J Patrick, 2701 Frederick Road, Suite 309-310, Hookah lounge, non alcoholic

Mr. Mosley reported the applicant is requesting conditional use approval for a non-alcoholic Hookah lounge with restaurant at Tiger Square shopping center (1/4 mile west of Tiger Town at corner of Frederick Road & Corporate Park Drive). A Hookah lounge is where people gather to smoke flavored tobacco from a hookah (pipe). A hookah is a water pipe that vary in size, shape, and number of mouthpieces; one end of a hose is in a water bowl and the other end of hose is the mouthpiece for smoking. A single mouthpiece Hookah is passed from person to person; a Hookah with several hoses allows more than one person to smoke at the same time.

The Hookah lounge/restaurant will occupy 3,300 square feet in the shopping center (Unit 309-310). The lounge will open with 6 to 10 employees and possibly up to 16 employees in the future. The lounge/restaurant plans to have 30 tables with 84 chairs plus 16 bar chairs. Food available (Burgers, Chicken Tenders, French Fries, Chicken Wings, Salads, Nachos etc.). Beverages available: Soft drinks, Slushies, Mocktails (non-alcoholic), Tea, Coffee, Smoothies. A private dumpster will not be used.

Recommendation

Staff recommends conditional use approval.

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

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

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

Chairman Cherry opened the public hearing.

Micah J. Patrick, authorized applicant, stated I'm an active-duty Marine and I moved to Opelika about seven weeks ago. I work at Auburn University and I'm one of the people in charge of the NROTC program over here. This is my first time coming to a duty station where the operation tempo is a little slower and I have a little extra time. I'm a first-time homebuyer right here in Opelika in the Northbrook Subdivision and I feel like Opelika is a great place to open my own business. I have been in the Marine Corps for eleven and a half years now, since I was eighteen years old and fresh out of high school. I've seen a lot of my friends go out drinking and having a good time and partying and that's really the first and only thing that comes to mind, but I want this hookah lounge to be an example to the college students that I work with that you don't have to go out and slam drinks and party at the game to go out and have a good time. You can just listen to music and socialize and have karaoke night and stuff like that. Have student discount night and something that's a little more wholesome. I've lost some friends due to alcohol related incidents and I don't plan on serving any alcohol at this establishment. Not only will there be flavored tobacco, but they also make flavored tea as an alternative with flavors like vanilla, cheesecake, and Oreo, that people can smoke as well and there's no tobacco in those products at all.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Director Derek Lee

DISCUSSION: Mr. Silberman asked if this requires Health Department approval.

Mr. Mosley stated if they are serving food, it will definitely require Health Department approval. I don't know about the smoking, but from my experience these are typically treated like any other cigar lounge or similar type of smoking establishment.

Ms. Cannon stated it says restaurant.

Mr. Mosley stated yes ma'am, that part would definitely require Health Department approval.

Mayor Fuller asked Mr. Gunter, how does this fit in with our smoking ordinance?

Guy Gunter, City Attorney, stated smoking is allowed in tobacco shops and smoking lounges, it wouldn't be a problem.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

9. TaJarus Vines, 1701 Pepperell Parkway, C-3, GC-S, Auto sales lot

Mr. Mosley reported the applicant/business owner is requesting conditional use approval for a used auto sales lot. About 20 years ago, an In-Bay car wash was constructed on the property. The site plan shows a 1,500 square foot (sf) building on a 9,670 sf lot. The lot size is small for an auto sales lot, so the applicant is limited to 8 parking spaces to display vehicles for sales; the remaining parking spaces meet minimum requirements for customers and employees. Four parking spaces for customers and one parking spaces for business owner or employee. The applicant desires to have an 'open property' type business that does not require a business owner or a full time employee to stay on site full time. A customer is allowed to inspect vehicles anytime. The business owner's contact information is on each vehicle so a customer interested can contact the applicant. The landscape requirements are met from the previous car wash business. At least 18 trees and 41 shrubs are on the property.

The former business was a In-Bay car wash, and the washing of vehicles was performed inside the building. Three vehicles can park inside the 1,500 sf building. The site plan shows two parking spaces for employees and one bay area inside the building will be used to clean and detail vehicles that are displayed for sale. A floor drain inlet is in the building to collect wastewater. The applicant is

aware that to wash vehicles there must be a drainage system where vehicles are washed and rinsed. The discharge of wastewater on the ground is prohibited. A drainage inlet must be installed at the location where vehicles are washed/rinsed to collect wastewater; the inlet must be connected to the sanitary sewer system, so the water is treated before discharged; approval of wastewater collection system is required from applicable departments.

Recommendation

Staff recommends conditional use approval with the following conditions:

1. The auto sales lot inventory to sell vehicles is limited to 8 vehicles as shown on the site plan. This condition is so minimum parking requirements for customers and employee(s) are met.
2. Vehicle washing, and detailing is limited to the 8 vehicles displayed for sale on the lot. Adding a car wash & detailing business to the auto sales lot business is not allowed.
3. No vehicles shall be parked on the right-of-way or in grassed areas.

¹The vehicle remains parked, and the car wash moves back & forth cleaning the car with cloth and high pressure spray.

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

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

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Ms. Cannon asked how does this fit into our Gateway Corridor?

Mr. Mosley stated typically the property would be required to meet the Gateway Corridor platting requirements if it were a new construction. Much of the building is glass right now with some metal and some base block on it, so it's not far off from our Gateway Corridor requirements. The site does have a landscape plan that's in your packet which does meet those landscaping requirements. The car sales use is a conditional use in the Gateway Corridor and that's one of the reasons that it is coming before you for approval.

Motion to grant conditional use approval with staff recommendations

RESULT: **Passed**

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

10. Kirby Nunn, 300 Columbus Parkway, Unit 1, C-3, GC-P, Retail sales with outside storage

Mr. Mosley reported the petitioner, Kirby Nunn, is requesting conditional use approval to permit the sale and outdoor display of monuments and memorials of granite, marble, and bronze to be used primarily for, but not limited to, cemetery installation. Mr. Nunn will share office space inside Unit 1 of the Juice Box Gym establishment as needed for transactions with customers.

The intent of the Gateway Corridor Overlay zoning designation gives this use a conditional use approval process to allow the Planning Commission to determine if the outdoor display area is appropriate for this location. This use is unique especially since it requires a very small amount of outdoor display. The key concept of this proposal is that the memorials will be limited to the area shown on the site plan and no more than 10 to be displayed at a time. According to the petitioner, this use will not create a high volume of traffic. The location is within a few miles of the local funeral homes in the city.

Although this use is nontraditional, planning staff believes that this use is reasonable at this location. Staff recommends approval of conditional use with staff recommendations:

- Limit the number of monuments displayed to 10.
- Limit the area to 200 square feet shown on the site plan.
- Any separation barrier or fencing of this area requires staff approval prior to installation.

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

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

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Director Derek Lee

SECONDER: Lucinda Cannon

DISCUSSION: Mr. Silberman stated I don't have a problem with the purpose, but I wish they might consider doing something to enhance the look of the area. Either a background improvement or something. It's not a question of need.

Ms. Cannon stated it could look nicer.

Mr. Mosley stated that's within the realm of the Planning Commission to add conditions if you feel like there's something that needs to be added there.

Mr. Silberman stated I will leave it to the property owner, but I would hope that he would do something to enhance the look. It's certainly not attractive.

Mr. Mosley stated the Engineering Department is working on an intersection improvement project through here and it will add some sidewalks and will probably realign some of this. I think there will be some opportunities for some minor streetscaping improvements through that process.

Mr. Parker stated part of that plan will be to add some access divisions in that big block there. Add some curb and some landscape areas and limit access to the whole development to one or two locations. The street area will be cleaned up with the proposal, but whatever happens behind the property certainly needs to be held by the property owner.

Mr. Silberman stated it has no impact one way or another on the sales, but it would help the area.

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

G. AMENDMENT TO 2030 COMPREHENSIVE PLAN and REZONING - Public Hearing

11. Amendment to Future Land Use Map, Michael Johnson, representative, 3.3 acres, 1200 block South Fox Run Parkway, from light commercial to general commercial

Amendment to the FLUM and rezoning request items were handled together. See rezoning request item #12.

12. Rezoning Request, Michael Johnson, representative, 1200 block South Fox Run Parkway, 3.3 acres, from C-2, GC-P to C-3, GC-P

Amendment to the Future Land Use Map

Mr. Mosley reported, the 2030 Future Land Use Map (FLUM) shows that the 3.3 acre rezoning property is in a "light commercial" land use category. The land use category of the adjacent properties on the north and east, sides are in a "general commercial" category. All adjacent lots to the rezoning property are undeveloped except a 4 acre RV (recreational vehicle) and camper sales lot. The RV sales lot is on the east side of the rezoning property. At the September 28th meeting, the Planning Commission made a positive recommendation to City Council to rezone

the adjacent property on the east side of the RV sales lot. City Council is expected to approve the rezoning at a future Council meeting. The RV sales lot is now requesting to expand into the 3.3 acre property on the west side of the RV sales lot.

The rezoning request to C-3, GC-P requires an amendment to the 2030 FLUM concerning 'land use category.' If the rezoning request is approved by City Council, then the 2030 FLUM should be amended so the parcel is in the "General Commercial" land use category. The 'general commercial' land use category provides a broad range of retail and service type uses usually located on major highways; the display of products outside a building is typical in a general commercial category and usually allowed.

Rezoning

Mr. Mosley reported, the applicant is requesting to rezone 3.3 acres from C-2, GC-P to C-3, GC-P. Two lots adjacent to the rezoning property are currently zoned C-3, GC-P : a 9 acre undeveloped property on the north side and a 4 acre property on the east side. The 4 acre property is a RV (recreational vehicle) and camper sales lot; Planning Commission granted conditional use approval for the RV sales lot, and a business license was issued in April 2021. At the September 2021 meeting, the Planning Commission approved a rezoning request to City Council for the 3.2 acre adjacent property on the east side of the RV sales lot; the RV/camper sales business plans to expand their outdoor display of RVs and campers into the 3.2 acre lot.

The plan for the rezoning property today is to expand the RV Sales lot business into the 3.3 acre adjacent lot on the west side of the RV sales lot. The expansion provides a larger inventory for the RV/camper business and increases RV/camper visibility to Fox Run Parkway and I-85 traffic. If the 3.3 acre rezoning property is approved, the applicant is aware that conditional use approval is required including a site plan and landscape plan. There are no immediate plans for a new building on the rezoning property The existing 13,000 square foot building (former Harley-Davidson) on the 4 acre parcel serves as office space and a service department for both lots.

Staff Recommendation

Planning staff believes that the 3.3 acre rezoning to C-3, GC-P is appropriate given the proposed 'RV sales lot' is adjacent to C-3, GC-P zoned properties. The rezoning request today is to expand the RV sales business 3.3 acres on the west side; a 3.2 acre expansion on the east side of the RV sales lot was given a positive recommendation for approval by the Planning Commission at the September meeting.

The rear property line of the rezoning property is adjacent to I-85. Typically, an RV sales lot locates near an interstate highway providing immediate access to the business and to increase inventory exposure along I-85. If City Council approves rezoning the property, staff recommends the 3.3 acre property on the Future Land Use map be amended from a "Light Commercial" land use category to a "General Commercial" land use category.

Planning Staff recommends Planning Commission send a positive

recommendation to the City Council to rezone the 3.3 acre property from C-2, GC-P to C-3, GC-P.

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

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

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 for the Amendment to the Future Land Use Map and the rezoning request.

No comments.

Chairman Cherry closed the public hearing.

Amendment to the Future Land Use Map

Mayor Fuller made a motion to approve the amendment to the Future Land Use Map with staff recommendations.

Mr. Hilyer seconded the motion.

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

Nays: None.

Abstention: None.

Rezoning

Mr. Hilyer made a motion to send a positive recommendation to City Council with staff recommendations.

Mr. Silberman seconded the motion.

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

Nays: None.

Abstention: None.

H. MASTER PLAN REVISIONS - Public Hearing

13. Wyndham PUD Master Plan, Major Amendment to Master Plan, 4.6 Acres, corner of Gateway Drive & Wyndham Industrial Drive, David Slocum P.E., Amendment from office/commercial to private storage of fuel for a construction/environmental service business and retail sales of fuel

Mr. Mosley reported, the applicant is requesting a major revision to the Wyndham PUD Master Plan. The amendment involves one 4.6 acre parcel at the corner of Gateway Drive and Wyndham Industrial Drive (see Master plan page 3). The 2005 master plan narrative envisioned this corner parcel as “office areas” serving as “entries to both the Residential and Industrial areas (Wyndham Industrial Drive) of the Development.” The master plan shows the corner lot as an “office” area. The applicant proposes a major land use change for the 4.6 acre parcel. The applicant has a construction & environmental business with several vehicles and construction equipment that require diesel fuel. The

applicant's primary construction property/office is the 7.3 acre adjacent property on the north side of the diesel fuel development as shown on master plan. The land use designation for the 7.3 acres is "Industrial" on the master plan. The diesel fuel development is about 700 feet from two buildings on the 7.3 acres. The diesel fuel property is accessed from Gateway Drive; the applicant's construction business is accessed from Wyndham Industrial Drive. The applicant desires to construct a 24' x 50' canopy for two diesel fuel pumps. The fuel storage tanks are underground. (See site plan in packet.) The diesel fuel is for the company's vehicles and equipment. The diesel pumps will also be equipped to sell diesel fuel to the public as a self-service business; method of payment is credit card ("pay at the pump" type self-service). The two diesel fuel pumps serve a maximum of four vehicles at the same time. An employee/attendant will not be on the property to assist the customer with fueling or payment transactions. An off-road diesel pump will be provided in the rear yard area for off-road vehicles (tractors) and other construction equipment. *(The purchase of off road diesel fuel is not taxed; red dye is added to fuel to show it's untaxed.).*

The conceptual plan provided by applicant shows the canopy location and landscaping. The diesel fuel development is located on the west half of the 4.6 acre parcel. A 50' wide Alabama Power Transmission line runs nearly diagonal (corner to corner) across the property and borders the diesel fuel business on the west side. Access to the diesel fuel pumps is Gateway Drive not Wyndham Industrial Drive. A building with rest rooms is not planned for the development. All activities on the property are self-service.

Staff Comments and Recommendation

Staff believes approval of the revisions will likely have a negative impact on the surrounding area. The self-service diesel business and the fueling of construction vehicles/equipment will operate without an employee/attendant on property to observe and supervise the dispensing of fuel if necessary, and maintain the appearance of the property. A self-service business can stay open 24 hours a day. Planning has concerns that eventually the diesel fuel property will be neglected, and the property gradually decrease in cleanliness, and be overcome with excessive clutter, overflowing trash bins, an increase in fuel spillage, temporary outside storage, and perhaps loitering. The lack of property maintenance and cleanliness will be a nuisance to adjacent properties and result in depreciation of surrounding properties.

The 4.6 acre diesel property on the corner of Gateway Drive and Wyndham Industrial Park is just one mile from an I-85 exit and a major shopping center (Tiger Town). Across Gateway Drive from the proposed diesel fuel business, the land use designation on the Wyndham master plan shows apartment development on 21 acres, and near the apartments, commercial development on 7 acres. The revisions requested do not contribute or support the future uses designated on the Wyndham PUD master plan, but instead disturbs the compatibility the master plan provides and will probably hinder future growth. Staff believes the diesel fueling for construction vehicles and the self-service diesel business is out of character with the master plan. The applicant has other land uses to select that are more sensitive and compatible with the existing uses and future uses as designated on the Wyndham PUD master plan that will provide a more desirable long term purpose that serves the area and encourages growth.

Planning recommends denial of the proposed master plan revisions and supports the 'office area' designation on the master plan.

Mr. Mosley stated there was a comment submitted late yesterday afternoon regarding this item. Mr. Mosley read the letter.

My name is James Kring. My residence is 1000 Gwynne's Way, Opelika, AL 36804 in the Reserve at Wyndham Gates subdivision.

I am submitting a comment for the Master Plan Revisions public hearing regarding the rezoning of the corner of Gateway Drive & Wyndham Industrial Drive to allow for the private storage of fuel for business and retail sales.

Comment:

I am against this rezoning as allowing a fuel station to be built there would damage the character of the neighborhoods in that area. There are already 5 gas stations within two driving miles of that location with the closest being Eagle gas station at Capps Landing which is just one mile away. Another station is not needed. Also, the building of another gas station is incredibly short sighted because the future of consumer vehicles used for daily use is moving to electric vehicles (EVs). The usage of EVs is perfect for residences which have a private driveway and/or garage. All of the houses in the neighborhoods adjoining Gateway Dr. fit this description, and ownership of EVs in those neighborhoods will continue to grow. Longterm, the proposed fuel station will not benefit the neighborhoods in which it has invaded. Thank you for your time!

Best,

James Kring

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

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

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

Chairman Cherry opened the public hearing.

David Slocum, authorized representative, stated the applicant does intend for this to be well landscaped, well built, well maintained, and fit in with the developments that are in the area. I do understand that it's a little unusual just to have a fuel station without a convenience store attached to it but I feel like that could be a benefit by not attracting everyone who wants a cigarette. You would only stop here if you had a diesel engine vehicle that you needed fuel for. He plans to have a credit card machine integrated in the pumps which would be tied in with his business which is right adjacent to the property. I would like to get any input from you if you are not totally against the use. If you think there is something that can be done a little differently, we are open to suggestions. However, if you feel like the use is just not appropriate there, I understand that too. Do you have any questions?

Chairman Cherry asked is this primarily for his use or his company's use?

David Slocum stated, it started out to be that he needed diesel fuel for his equipment and his trucks and then he said why not offer it to the public right there on his property.

Chairman Cherry stated it is my opinion that the reason for denial is because it shouldn't be where it is as a public thing. If it was located somewhere on his property for his own employees and his own vehicles, I wouldn't have a problem with it. I think that it's inappropriate to have it open for the public.

Chairman Cherry closed the public hearing.

Motion to send a recommendation of denial to City Council

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Ira Silberman

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

I. OTHER BUSINESS

14. Approve dates for November and December Planning Commission Meetings.

The Planning Commission decided to maintain the November 23, 2021 meeting date and move the December meeting to December 21, 2021.

J. ADJOURN

Motion to adjourn at 4:10 p.m.

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

AYES: Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Menefee, Mayor Fuller, Director Lee

NAYS: None

ABSTAIN: None

Lewis A. Cherry, Chairman

Matt Mosley, Secretary



REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL
OPELIKA, AL 36801

2600



PC DEADLINE: 11/2/21 PC MEETING: 11/23/21

PROPERTY OWNERS/

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

MAILING ADDRESS: 223 S. 9th St. Opelika, AL 36801

PHONE NUMBER: 334-745-7026 Email: brice@barrett-simpson.com

PARCEL INFORMATION

Site Address: N. Uniroyal Rd. & Ridge Rd. (Lee Rd. 390)

Description of proposed use: Single-family Residential

Tax Parcel Number: 43-10-02-03-0-000-021.001, 43-10-02-03-0-000-021.000, 43-10-02-10-0-000-004.000

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

Current Land Use: Vacant

Current Zoning: R-2

Proposed Zoning: PUD

Number of APO: 28 x \$7.00 = \$ 196.00
(Adjacent Property Owners)

Fee: \$125.00

TOTAL = \$321.00

PAID: CHK# 087824

I hereby request my property located at (street address) N. Uniroyal Rd. & Ridge Rd.

Tax Map parcel number 43-10-02-03-0-000-021.000, 43-10-02-03-0-000-021.001, 43-10-02-10-0-000-004.000 be rezoned from

R-2 to PUD

A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

Blake Rice

11/1/21

(PRINT NAME)

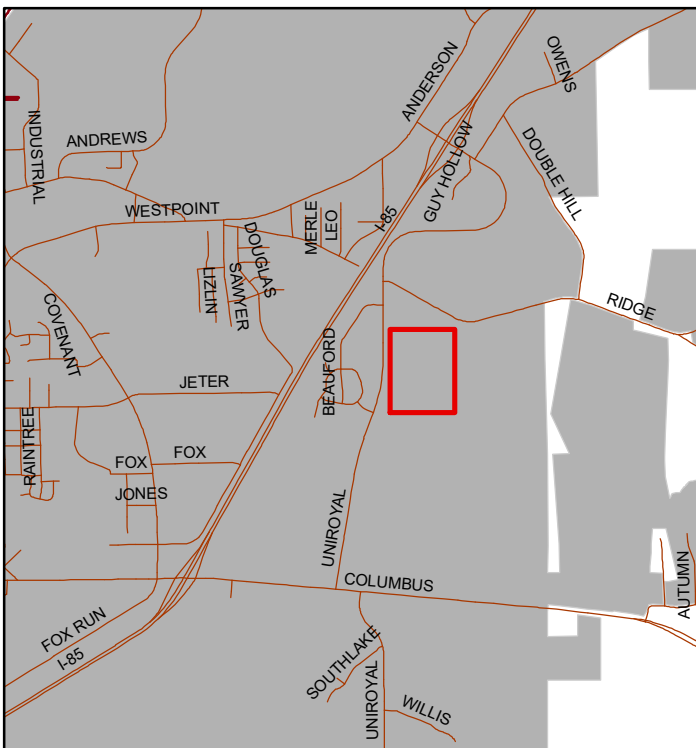
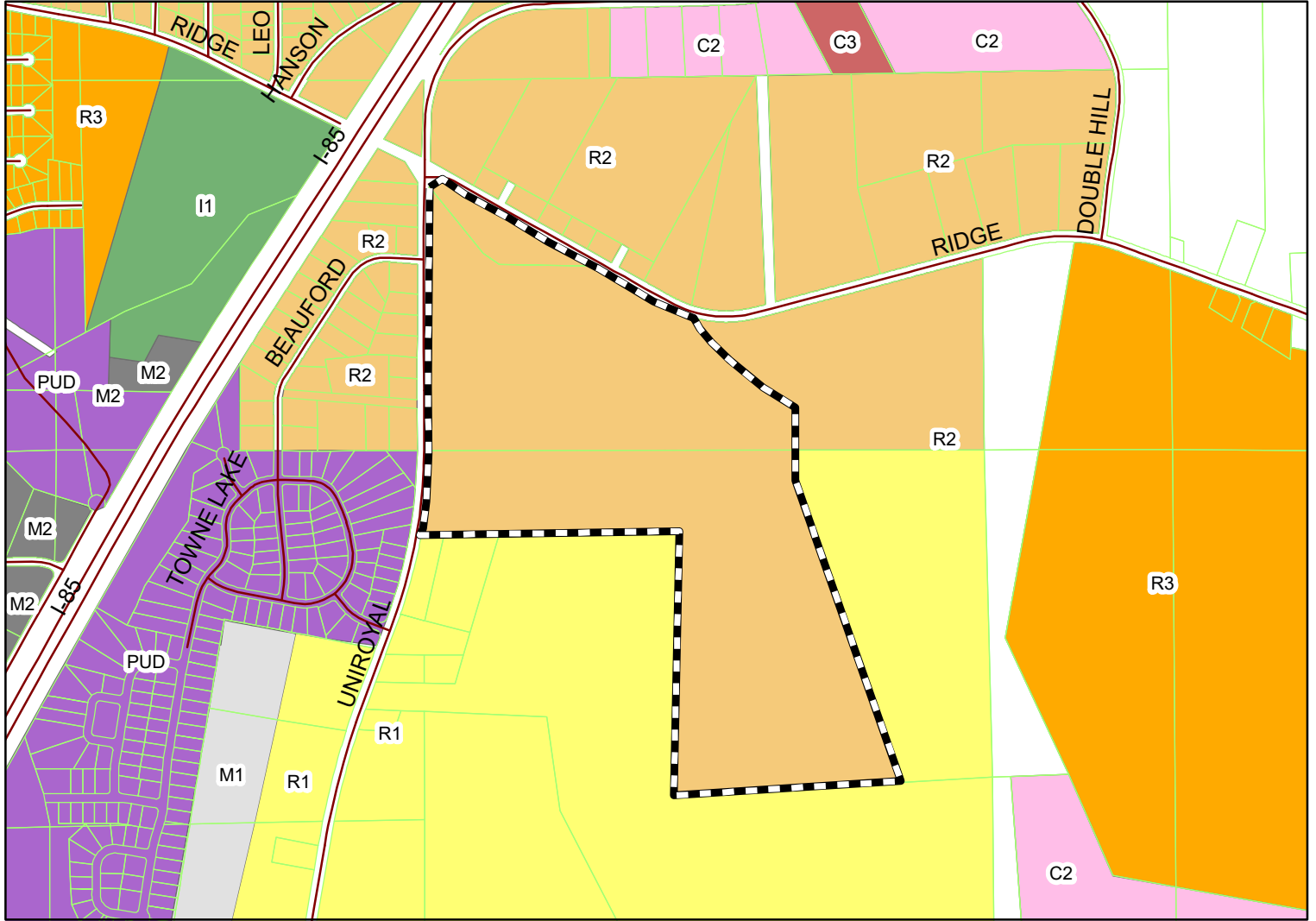
Blake Rice, Barrett-Simpson, Inc.

DATE

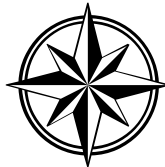
FLATIRON FARMS LLC REZONING AND PRELIMINARY PLAT

900 BLOCK NORTH UNIROYAL ROAD

R-2 TO PUD, C-1, 2



The applicant is requesting rezoning 160.2 acres from R-2 to PUD. About 94 acres of the rezoning property was rezoned in 2020 to R-2. (The remaining 66 acres was already zoned R-2.) Plans have changed and a PUD zone is requested. The Laurel Lakes plat shows 376 lots for single family homes.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: C-1

Action Requested: Rezoning - 160.2 acres
R-2 to PUD

Property Owner(s): Flatiron Farms, LLC
Blake Rice, Barrett-Simpson, Inc., authorized representative

Current Zoning: R-2

Proposed Zoning: PUD (Planned Unit Development)

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-2	Single-Family Homes
	South	R-1	Undeveloped & Residential Homes
	East	R-2 & R-1	Undeveloped
	West	R-2 & PUD	Single-Family Homes

Rezoning:

The applicant is requesting rezoning 160.3 acres from a R-2 (low density residential) zoning district to a PUD (planned unit development) zoning district for a single-family residential community. Ridge Road and North Uniroyal Road border the development along the north and west property lines, respectively. The adjacent property on the east and south are large rural tracts. Access to the development is from two new streets with one on the northeast border of Ridge Road and one on the west border of North Uniroyal Road. The access street to the northeast is approximately 1850 feet from the intersection of Ridge Road and North Uniroyal Road. The other street to the west is approximately 1,100 feet from the intersection of Ridge Road and North Uniroyal Road.

The proposed development consist of 373 single family home lots, three parcels designated “detention/common area”, and one small lot that is solely a 50 gas easement. The density for the entire 160.24-acre PUD development is 2.35 dwellings per acre. The typical lot is 9,000 sf (residential lot sizes range from 9,000 sf to 54,367 sf). The proposed setback for the residential lots is a minimum of 20 feet from the front property line, 7 feet from each side property line, 25 feet from the rear property line and 15 feet from a side street. An HOA (Homeowner’s Association) will be established for the

neighborhood. The HOA's 'Covenants, Conditions and Restrictions' document will include architectural guidelines and building and use restrictions for property owners.

The "detention/open space" on the master plan are three (3) lots that total 37.48 acres. The common area is primarily an undisturbed natural wooded area preserved as open space for the homeowners and/or amenities. The Laurel Lakes homeowner's association will own, maintain, and preserve the 37.48-acre detention/open space for property owners.

According to the landscape regulations, a residential buffer strip is required along the perimeter property line of the development where it abuts residential properties. The buffer provides visual separation and screening to improve compatibility between the PUD residential lots and the adjacent undeveloped rural areas. The buffer should provide a near impervious visual buffer between the PUD lots and the adjoining parcels on all sides. The Landscape Regulations has three options for a residential buffer including preserving a 20-foot-wide natural wooded buffer that provides a nearly impervious visual buffer. If the 20-foot natural buffer does not provide an impervious visual buffer, then a 2nd option is to plant a staggered double row of evergreen trees; the size of evergreens planted should grow at least 6 feet in height and provide an impervious visual barrier in three years. The site plan for each lot that border a perimeter lot line must include the type of landscape buffer that will be installed before a building permit is issued.

A 25-foot landscape buffer is shown along the 43 residential lots and one detention/open space adjacent to North Uniroyal Road and Ridge Road. The new homes constructed on those lots face an internal street, and the rear yard faces North Uniroyal Road and Ridge Road. The visual buffer between the residential lots and North Uniroyal Road and Ridge Road preserves the rural character of the larger parcels across North Uniroyal Road and Ridge Road. The buffer also reduces possible interference between the existing rural farm properties and activities of the proposed residential community.

Staff recommends sidewalks installed on at least one side of all streets and underground utilities provided. Two shed structures are existing on the property and will be removed prior to this development proceeding.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from R-2 to PUD subject to the following:

1. All utilities shall be underground.
2. Sidewalks are required on at least one side of all streets.
3. Label/show a PUD residential buffer as required from the buffer options provided in Section IX Landscape Regulations.

4. Label/show the 25 foot landscape buffer along the rear lot lines of lots adjacent to North Uniroyal Road and Ridge Road. The buffer planted must be an adequate size to provide a near impervious visual buffer in three years.
5. Revise the PUD Master Plan narrative, conceptual map/layout, and preliminary plat to reflect the same language, details, and terminology.
6. The minimum lot size or width should be clearly defined. The master plan notes that the typical lot will be 60 feet in width. This should be defined as a minimum unless the lot is located on a cul-de-sac that prevents the minimum width.
7. The exhibit notes 375 lots. The preliminary plat shows 376 lots. It appears based on the plat there are actually 377 lots. The 50 foot gas easement located on the east side of spine road between Lots 81 and 82 on the preliminary plat is shown as a separate lot. The number of lots should be clarified across documents. If the easement is a separate lot it should be numbered on the plat. If not, the line weight should be adjusted to show its inclusion in an adjoining lot.

Engineering Department Report

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

Opelika Utilities Board Report

Water service is accessible to this use by a water main in the R.O.W. of North Uniroyal Road.

Opelika Power Services Report

This subdivision is inside the Opelika Power, Tallapoosa River Electric Coop and Alabama Power Service territory.

Drawing Name: M:\2021\21-0146 SUB - Floyd Nix Uniroyal - Opalco\Draw\POD Exhibiting Last Modified: Oct 26, 2021 - 2:36pm by klucker

NOTES:

- This Conceptual Plan was prepared for the exclusive benefit of BSI client. Boundary Information taken from Lee County Tax Maps, not surveyed Topographic Information taken from Lee County GIS Data.
- This drawing represents a conceptual plan for the development of the subject property. There may be factors that could affect the development, use and/or yield of the property which would only be disclosed by a thorough site assessment, including survey, topographic survey, environmental assessment, wetlands delineation and utility availability, which may have not been performed for the purpose of this conceptual plan. There is no assurance by Barrett-Simpson, Inc. that the property can be developed according to this plan, or a reasonable cost.
- Development Data:

-Total Property Area:	160.70 Acres
-Proposed Use:	Single Family Residential
-Current Zoning:	R2 - Low Density Residential
-Required Zoning:	PUD
-Typical Lot Size:	60' x 150'
-Total Number of Lots Proposed, 60':	372
-Total Number of Open Space/Det Lots:	3
-Total Number of Residential Lots:	372
-Total Number of Lots:	375
-Total Length of Streets:	15,900 LF±
-New Street Right of Way Width:	60 feet



BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors



STONE MARTIN BUILDERS
LAUREL LAKES

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MASTER PLAN

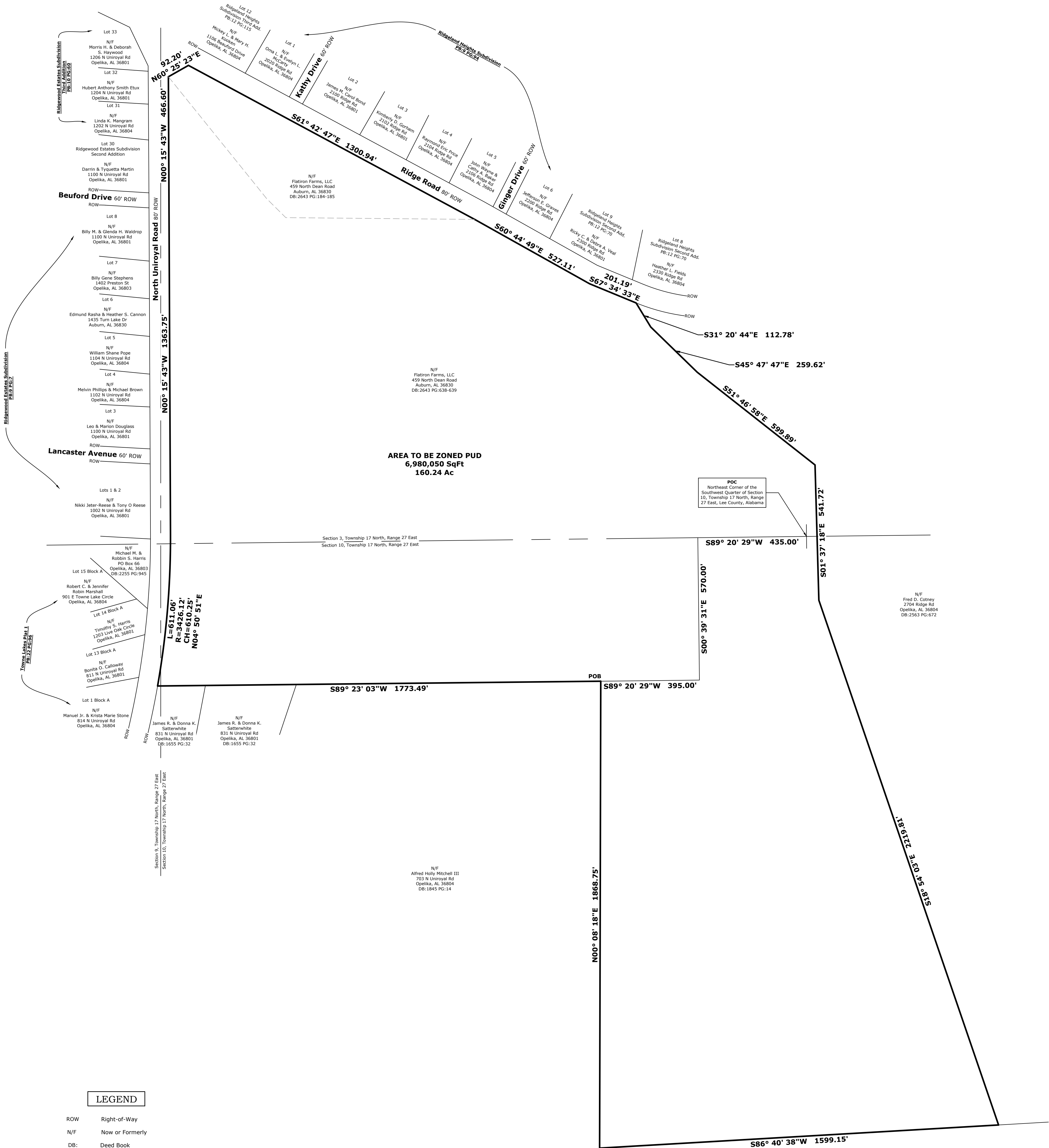
DRAWN BY:	KJWELCH
DESIGNED BY:	BSI
REVIEWED BY:	BSI
APPROVED BY:	BSI
DATE:	12 OCTOBER 2021
PROJECT NUMBER:	21-0146
SHEET NUMBER:	

- NOTES**
- North is based on:
-Boundary Survey For: Joseph P. Long, Inc - Precision Surveying Dated 9/16/2020.
 - Basis for Exhibit:
-Boundary Survey For: Joseph P. Long, Inc - Precision Surveying Dated 9/16/2020.
-Deed Book 2643, Page 638-639, Probate Office, Lee County, Alabama.
-Deed Book 2643, Page 184-185, Probate Office, Lee County, Alabama.
 - According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0090G & Map No. 01081C0089G, effective September 2, 2011, the subject property is located:
-Zone X (no shading) (areas determined to be outside the 0.2% annual chance floodplain).
 - The purpose of this map is to show the areas to be Zoned **PUD**. (160 Acres Total)
 - This drawing becomes void if any alterations or changes are made by others.
 - This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.

ZONING EXHIBIT FOR
FLATIRON FARMS, LLC
BEING A PART OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 27 EAST
& SECTION 10, TOWNSHIP 17 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA

PROPERTY DESCRIPTION

A tract or parcel of land containing 160.24 acres in Sections 3 and 10, Township 17 North, Range 27 East, Opelika, Lee County, Alabama and being more particularly described as follows: Commence at the northeast corner of the southwest ¼ of said Section 10; thence S89°20'29"W 435.00 feet; thence S00°39'31"E 570.00 feet; thence S00°20'29"W 395.00 feet to the point of beginning; thence S89°23'03"W 1773.49 feet to the east right-of-way limit of North Uniroyal Road; thence continue along said right-of-way along a curve to the left having a radius of 3426.12 feet, an arc length of 611.06 feet and a chord bearing and distance of N04°50'51"E 640.25 feet; thence N00°15'43"W 1363.75 feet; thence N00°15'43"W 466.60 feet to the south right-of-way limit of Ridge Road; thence continue along said right-of-way N60°25'23"E 92.20 feet; thence S61°42'47"E 1300.94 feet; thence S60°44'49"E 527.11 feet; thence S67°34'33"E 201.19 feet; thence leaving said right-of-way S31°20'44"E 112.78 feet; thence S45°47'47"E 259.62 feet; thence S51°46'58"E 599.89 feet; thence S01°37'18"E 541.72 feet; thence S18°54'03"E 2219.81 feet; thence S86°40'38"W 1599.15 feet; thence N00°08'18"E 1868.75 feet to the point of beginning.



THIS IS NOT A PROPERTY BOUNDARY SURVEY. This drawing is for information purposes only. The purpose of this exhibit is to show area owned by Flat Iron Farms LLC to be rezoned.

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

Jeffrey S. Ham, PLS
Alabama License No. 21775

Date:

PROJECT NO: 21-0146

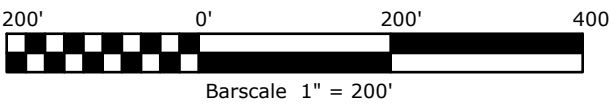
FIELD BY: N/A
DRAWN BY: BES

FIELD DATE: N/A
DRAW DATE: 10/29/2021



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

706 12th STREET, PHOENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUFALUA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)





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



DEADLINE: 11/2/21 MEETING: 11/23/21

SITE ADDRESS: N. Uniroyal Rd. & Ridge Rd. (Lee Rd. 390)
PROPERTY OWNER: Flatiron Farms, 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? Yes

☐ Annexation ☒ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Laurel Lakes Subdivision

Current Land Use: Vacant

Current Zoning: R-2

Proposed use of the Subdivision: Single-family Residential

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

Number of Lots: 376 x \$3.00 = \$1,128.00

Number of APO: 28 x \$7.00 = \$196.00
 (Adjacent Property Owners)

Fee: \$75.00

TOTAL = \$1,399.00

PAID CK# 087824

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

11/1/21

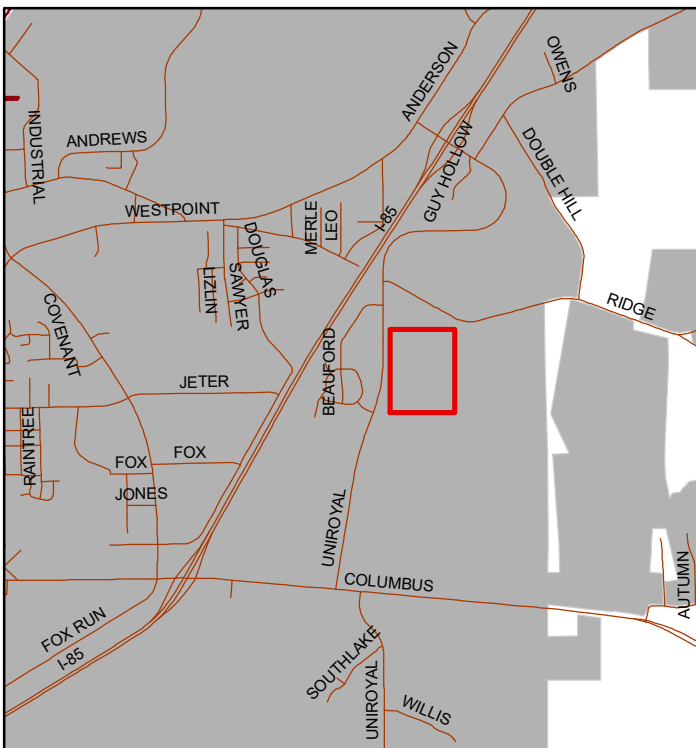
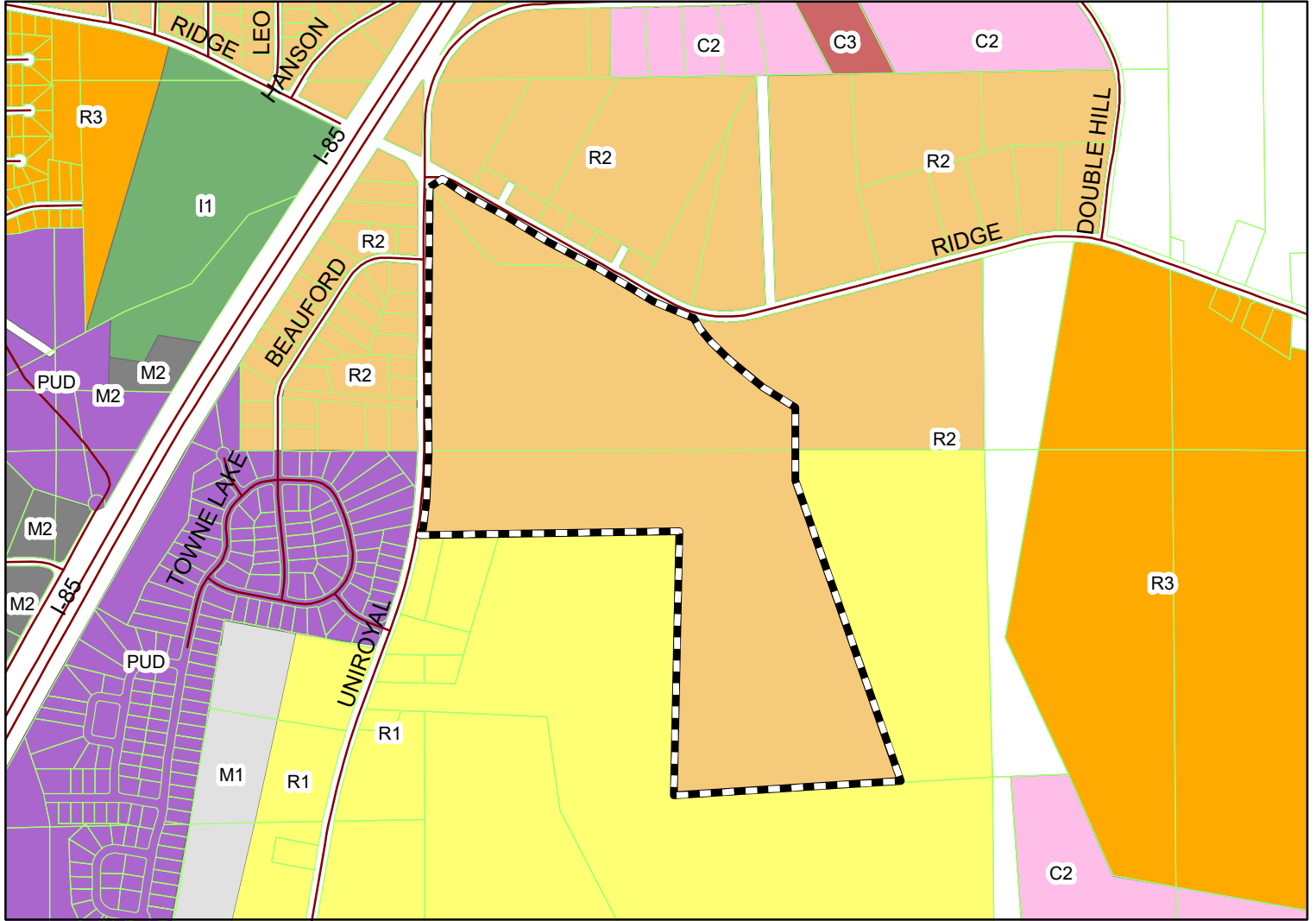
(PRINT NAME) Blake Rice, Barrett-Simpson, Inc.

DATE

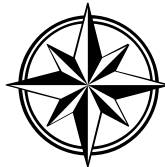
FLATIRON FARMS LLC REZONING AND PRELIMINARY PLAT

900 BLOCK NORTH UNIROYAL ROAD

R-2 TO PUD, C-1, 2



The applicant is requesting rezoning 160.2 acres from R-2 to PUD. About 94 acres of the rezoning property was rezoned in 2020 to R-2. (The remaining 66 acres was already zoned R-2.) Plans have changed and a PUD zone is requested. The Laurel Lakes plat shows 376 lots for single family homes.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Subdivision: Laurel Lakes SD

Agenda Item #: C-2

Action Requested: Preliminary Approval

Location of Property: North Uniroyal Road and Ridge Road

Property Owner(s): Flatiron Farms, LLC
Blake Rice, authorized representative

Current Land Use: Undeveloped

Current Zoning: R-2 to be rezoned to PUD

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0090G. No portion of property is in in 100-year flood zone. Property in Flood Zone “X” which is outside the 0.2% annual chance flood plain

Staff Comments:

The applicant is requesting preliminary plat approval for a 376-lot subdivision in a 160.2 acre proposed PUD Master Plan development. The property is on the southeast corner of North Uniroyal Road and Ridge Road. The development is accessed from North Uniroyal Road by a new street between Lots 1 and 247. Additionally, a new street access the development from Ridge Road between Lots 43 and 44. Three of the streets end as stub out streets that temporary end on the south, west, and east perimeter/property line of the development; in the future, the stub out streets will extend into the adjacent properties if the adjacent properties develop providing street networking with adjacent properties. These stubs out sections will need to be shown on the plat and built as temporary cul-de-sacs for this development.

Single family homes will be built on 373 lots. Lots 247, 186, and 108 (37.48. acres total) are reserved as Detention/Open Space. The density for the development is 2.35 dwelling units per acre. The 373 single family lots range in size from 9,000 square feet (sf) to 54,367 sf. with a minimum lot width of 60 feet wide. The proposed minimum building setbacks are 20’ front, 7’ side yard, 25’ rear yard, and 15’ side on street (corner lots). The plat should note the minimum lot standards of 60’ minimum lot width.

Landscaping is required for developments in a PUD zoning district.¹ A residential buffer² is required along the rear lot lines of lots that border an adjacent property that is not part of the PUD development. If an existing natural buffer or staggered evergreen row is selected rather than a 6' high fence option, the plant material should provide a near impervious visual barrier in three years.

A 25-foot natural buffer shown along the lots adjacent to North Uniroyal Road and Ridge Road must be preserved to provide a visual buffer along North Uniroyal Road and Ridge Road. If the property owners of these lots desire to install a fence, the fence must be installed between the 25-foot buffer and residential home.

Recommendation

Staff recommends preliminary plat approval subject to the following:

1. The City Council approval of the rezoning to the Laurel Lakes PUD Master Plan request.
2. Add the name and address of the owner/developer on final plat.
3. Add street names on final plat.
4. Install underground utilities.
5. Install sidewalks on at least one side of all streets.
6. Approve the proposed minimum building setbacks on plat: 20' front yard, 7' side yard, 25' rear yard, and 15' side on street (corner lots). Add the minimum lot width on the final plat.
7. On final plat add a note providing the lot standards minimum building setbacks and lot width.
8. Install a residential buffer along the perimeter property line of the PUD property as required from the buffer options as provided in Section IX Landscape Regulations. The buffer option selected must be shown on the site plan when a building permit is requested for approval.
9. As provided on the master plan, preserve the 25 foot natural buffer along the rear lot lines of those lots that border North Uniroyal Road and Ridge Road. If a fence is proposed, then fence must be installed between the 25 foot buffer and residential home. Buffer must be shown on the site plan when building permit is requested.
10. On final plat add the following note: The Laurel Lakes HOA is owner of Lots 247, 186, and 108 as shown on the Laurel Lakes subdivision plat. Lots 247, 186, and 108 are reserved as stormwater detention for the subdivision and open space for the Laurel Lakes property owners. The Laurel Lakes HOA is responsible for the maintenance of all detention/open space on Lots 247, 186, and 108.

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.

11. The master plan exhibit notes 375 lots. The preliminary plat shows 376 lots. It appears based on the plat there are actually 377 lots. The 50 foot gas easement located on the east side of spine road between Lots 81 and 82 on the preliminary plat is shown as a separate lot. The number of lots should be clarified across documents. If the easement is a separate lot it should be numbered on the plat. If not, the line weight should be adjusted to show its inclusion in an adjoining lot.

Engineering Department Report

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

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

A traffic impact study will be required for this subdivision to determine if there should be any access improvements necessary to North Uniroyal Road and Ridge Road. If any access improvements are recommended in the traffic study, these revisions shall be constructed with the development of the infrastructure within the proposed subdivision.

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

Opelika Utilities Board Report

Water service is accessible to this use by a water main in the R.O.W. of North Uniroyal Road.

Opelika Power Services Report

This subdivision is inside the Opelika Power, Tallapoosa River Electric Coop and Alabama Power Service territory.

NOTES

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey:
 - Boundary Survey For: Joseph P. Long, Inc - Precision Surveying Dated 9/16/2020.
 - Deed Book 2643, Page 638-639, Probate Office, Lee County, Alabama.
 - Deed Book 2643, Page 184-185, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0090G & Map No. 01081C0089G, effective September 2, 2011, the subject property is located:
 - Zone X (no shading) (areas determined to be outside the 0.2% annual chance floodplain).
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- 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 utility and drainage 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:
 - Current Zone: R2
 - Required Zone: PUD
 - 160.24 Acres Total (6,980,050 Sq Ft.)
 - 376 Lots
 - Smallest Lot: Lots 135,136,137,140 - 0.21 Acres (9,000 Sq Ft.)
 - Largest Lot: Lot 186 - 16.24 Acres (707,235 Sq Ft.)

DEDICATION

We, Flatiron Farms LLC, 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.

Flatiron Farms, LLC
Authorized Representative
Gerald A. Mattson

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as Authorized Representative of Flatiron Farms LLC, an Alabama corporation, 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 _____, 2021.

Notary Public
My Commission Expires _____

Jonathan A. Ham, PLS
Alabama License No. 34761

**Preliminary
For Review Only**
Date: 11/01/2021

I, Jonathan A. Ham, hereby certify that all of the foregoing has 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.

PRELIMINARY PLAT
LAUREL LAKES

BEING A PART OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 27 EAST
& SECTION 10, TOWNSHIP 17 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA
SHEET 1 OF 2

OPELIKA CERTIFICATES

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: _____

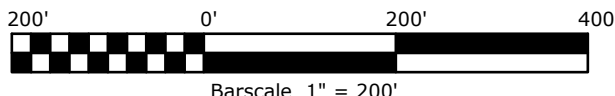
LEGEND

ROW	Right-of-Way
N/F	Now or Formerly
DB:	Deed Book
PB:	Plat Book
PG:	Page
(R)	Record Distance or Bearing
POB	Point of Beginning
POC	Point of Commencement
↯	Not to Scale



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

706 12th STREET, PHOENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2400)
121 W. BROAD STREET, EUFALUA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-743-7026, FAX 334-743-4367)



PROJECT NO: 21-0146

FIELD BY: N/A
DRAWN BY: BES
FIELD DATE: N/A
DRAW DATE: 11/01/2021

PRELIMINARY PLAT
LAUREL LAKES

BEING A PART OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 27 EAST
& SECTION 10, TOWNSHIP 17 NORTH, RANGE 27 EAST
OPELIKA, LEE COUNTY, ALABAMA
SHEET 2 OF 2

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:
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-Deed Book 2643, Page 638-639, Probate Office, Lee County, Alabama.
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-Zone X (no shading) (areas determined to be outside the 0.2% annual chance floodplain).
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- 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 utility and drainage 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:
-Current Zone: R2
-Required Zone: PUD
-160.24 Acres Total (6,980,050 Sq Ft.)
-376 Lots
-Smallest Lot: Lots 135,136,137,140 - 0.21 Acres (9,000 Sq Ft.)
-Largest Lot: Lot 186 - 16.24 Acres (707,235 Sq Ft.)

DEDICATION

We, Flatiron Farms LLC, 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.

Flatiron Farms, LLC
Authorized Representative
Gerald A. Mattson

STATE OF ALABAMA
COUNTY OF LEE

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as Authorized Representative of Flatiron Farms LLC, an Alabama corporation, 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 _____, 2021.

Notary Public
My Commission Expires _____

OPELIKA CERTIFICATES

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: _____

Lot Table			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	Lot #	Acres	Square Footage	Lot #	Acres	Square Footage
1	0.30	12,934	48	0.22	9,395	95	0.47	20,390	142	0.26	11,439	189	0.22	9,709	237	0.21	9,251	284	0.28	12,317	331	0.21	9,291
2	0.25	10,946	49	0.22	9,738	96	0.22	9,494	143	0.26	11,346	190	0.21	9,328	238	0.21	9,253	285	0.30	13,227	332	0.21	9,276
3	0.25	10,996	50	0.23	10,162	97	0.21	9,332	144	0.22	9,750	191	0.21	9,329	239	0.21	9,252	286	0.47	20,344	333	0.26	11,202
4	0.25	10,996	51	0.24	10,586	98	0.22	9,767	145	0.22	9,750	192	0.21	9,352	240	0.26	12,246	287	0.50	21,802	334	0.24	10,437
5	0.25	10,996	52	0.25	11,006	99	0.23	9,847	146	0.26	12,240	193	0.26	12,290	241	0.26	12,293	288	0.27	11,869	335	0.21	9,300
6	0.25	10,996	53	0.26	11,434	100	0.21	9,333	147	0.34	14,824	194	0.26	12,197	242	0.22	9,799	289	0.26	11,277	336	0.22	9,381
7	0.25	10,996	54	0.27	11,857	101	0.21	9,333	148	0.40	17,617	196	0.24	10,562	243	0.22	9,421	290	0.25	10,701	337	0.46	20,157
8	0.25	10,996	55	0.28	12,281	102	0.21	9,336	149	0.48	20,840	197	0.24	10,542	244	0.22	9,423	291	0.24	10,617	338	0.46	20,216
9	0.25	10,996	56	0.35	15,330	103	0.24	10,554	150	0.29	12,660	198	0.27	11,898	245	0.22	9,425	292	0.24	10,533	339	0.30	13,246
10	0.25	10,996	57	0.39	17,012	104	0.25	10,855	151	0.36	15,782	199	0.32	13,752	246	0.22	9,427	293	0.24	10,449	340	0.28	12,299
11	0.25	10,996	58	0.31	13,412	105	0.22	9,579	152	0.40	17,375	200	0.38	16,431	247	0.18	8,155,932	294	0.24	10,531	341	0.28	12,093
12	0.36	11,203	59	0.25	11,006	106	0.21	9,331	153	0.22	9,418	201	0.25	10,747	248	0.26	12,202	295	0.23	10,777	342	0.23	9,925
13	0.24	10,524	60	0.23	10,042	107	0.31	13,595	154	0.28	12,570	202	0.25	10,747	249	0.22	9,506	296	0.25	11,024	343	0.22	9,747
14	0.48	20,888	61	0.27	11,572	108	0.40	409,430	155	0.23	10,056	203	0.25	10,747	250	0.22	9,558	297	0.26	11,271	344	0.25	10,737
15	0.63	27,391	62	0.27	11,565	109	0.55	23,850	156	0.30	13,005	204	0.25	10,747	251	0.22	9,558	298	0.28	11,519	345	0.26	11,542
16	0.32	13,733	63	0.29	12,564	110	0.28	12,343	157	0.25	10,828	205	0.24	10,535	252	0.22	9,558	299	0.28	12,053	346	0.25	10,905
17	0.21	9,049	64	0.22	9,658	111	0.21	9,012	158	0.22	9,529	206	0.21	9,135	253	0.22	9,558	300	0.30	12,873	347	0.31	13,699
18	0.21	9,109	65	0.22	9,658	112	0.21	9,015	159	0.22	9,529	207	0.21	9,122	254	0.22	9,558	301	0.30	13,247	348	0.35	15,279
19	0.21	9,170	66	0.22	9,658	113	0.21	9,017	160	0.22	9,529	208	0.21	9,122	255	0.22	9,558	302	0.30	12,779	349	0.33	14,487
20	0.22	9,231	67	0.22	9,658	114	0.21	9,181	161	0.22	9,529	209	0.21	9,140	256	0.22	9,558	303	0.34	14,943	350	0.29	12,583
21	0.21	9,292	68	0.22	9,658	115	0.21	9,248	162	0.22	9,529	210	0.23	10,027	257	0.22	9,680	304	0.26	11,202	351	0.27	11,930
22	0.21	9,352	69	0.22	9,658	116	0.21	9,239	163	0.22	9,526	211	0.23	10,027	258	0.41	17,785	305	0.22	9,616	352	0.29	12,634
23	0.22	9,413	70	0.22	9,658	117	0.22	9,373	164	0.23	10,033	212	0.22	9,668	259	0.33	14,437	306	0.22	9,637	353	0.31	13,625
24	0.22	9,474	71	0.22	9,658	118	0.22	9,556	165	0.25	10,737	213	0.21	9,122	260	0.21	9,145	307	0.22	9,637	354	0.28	12,322
25	0.22	9,534	72	0.22	9,658	119	0.22	9,640	166	0.25	10,737	214	0.21	9,122	261	0.21	9,123	308	0.22	9,637	355	0.23	9,973
26	0.22	9,595	73	0.22	9,658	120	0.22	9,774	167	0.25	10,737	215	0.21	9,122	262	0.21	9,123	309	0.22	9,637	356	0.23	9,989
27	0.22	9,656	74	0.22	9,658	121	0.21	9,805	168	0.25	10,822	216	0.22	9,768	263	0.21	9,123	310	0.22	9,637	357	0.23	9,748
28	0.22	9,716	75	0.22	9,658	122	0.29	17,183	169	0.23	10,147	217	0.23	9,802	264	0.21	9,123	311	0.22	9,637	358	0.25	10,837
29	0.22	9,777	76	0.22	9,658	123	1.27	55,511	170	0.23	10,134	218	0.21	9,123	265	0.21	9,123	312	0.22	9,637	359	0.24	10,292
30	0.23	9,838	77	0.22	9,658	124	1.25	54,367	171	0.23	10,140	219	0.21	9,308	266	0.21	9,123	313	0.22	9,637	360	0.23	10,155
31	0.23	9,899	78	0.22	9,658	125	0.34	14,816	172	0.26	11,293	220	0.29	12,649	267	0.21	9,123	314	0.22	9,637	361	0.23	10,155
32	0.23	9,959	79	0.22	9,658	126	0.34	14,654	173	0.30	13,069	221	0.24	10,467	268	0.21	9,123	315	0.22	9,641	362	0.23	10,155
33	0.23	10,020	80	0.22	9,658	127	0.31	13,704	174	0.32	14,979	222	0.24	10,479	269	0.21	9,123	316	0.22	9,641	363	0.24	10,250
34	0.23	10,043	81	0.26	11,466	128	0.21	9,274	175	0.21	9,126	223	0.24	10,479	270	0.21	9,126	317	0.21	9,641	364	0.26	11,544
35	0.23	10,043	82	0.43	18,710	129	0.33	14,406	176	0.29	12,461	224	0.24	10,479	271	0.24	12,202	318	0.37	16,008	365	0.27	11,697
36	0.24	10,368	83	0.22	9,658	130	0.48	20,808	177	0.28	12,214	225	0.24	10,488	272	0.29	12,579	319	0.21	9,313	366	0.40	17,476
37	0.24	10,328	84	0.22	9,658	131	0.45	19,518	178	0.24	10,858	226	0.26	11,153	273	0.42	18,501	320	0.21	9,291	367	0.27	11,851
38	0.24	10,328	85	0.23	9,835	132	0.59	25,400	179	0.24	10,270	227	0.39	16,907	274	0.26	11,448	321	0.21	9,291	368	0.27	11,598
39	0.24	10,328	86	0.25	10,771	133	0.26	11,278	180	0.23	9,881	228	0.93	40,636	275	0.26	11,457	322	0.21	9,291	369	0.26	11,355
40	0.24	10,328	87	0.27	11,566	134	0.27	11,838	181	0.22	9,546	229	0.48	20,965	276	0.25	11,097	323	0.21	9,291	370	0.26	11,112
41	0.24	10,328	88	0.30	12,073	135	0.21	9,908	182	0.22	9,508	230	0.29	12,791	277	0.25	10,530	324	0.21	9,291	371	0.26	12,384
42	0.24	10,389	89	0.30	13,190	136	0.21	9,900	183	0.22	9,503	231	0.25	10,724	278	0.24	10,512	325	0.21	9,291	372	0.28	12,799
43	0.26	15,700	90	0.33	14,584	137	0.21	9,900	184	0.22	9,502	232	0.23	10,128	279	0.23	9,990	326	0.21	9,291	373	0.24	10,364
44	0.40	17,522	91	0.37	15,993	138	0.31	13,489	185	0.22	9,503	233	0.24	10,373	280	0.23	10,094	327	0.21	9,291	374	0.23	10,209
45	0.21	9,363	92	0.40	17,402	139	0.43	18,748	186	0.24	10,235	234	0.22	9,617	281	0.25	10,696	328	0.21	9,291	375	0.23	10,209
46	0.21	9,363	93	0.42	18,311	140	0.21	9,900	187	0.26	11,433	235	0.21	9,248	282	0.26	11,339	329	0.21	9,291	376	0.23	10,418
47	0.21	9,363	94	0.45	19,321	141	0.26	11,438	188	0.24	10,582	236	0.21	9,249	283	0.26	11,498	330	0.21	9,291			



APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

2602



PC DEADLINE: 11/2/21 PC MEETING: 11/23/21

SITE ADDRESS: 3900 MARVIN PIKE

PROPERTY OWNER: BRANDON KOWEN & JEN WILLIAMSON

APPLICANT/ AUTHORIZED REPRESENTATIVE: _____

MAILING ADDRESS: 2124 MODERNS HILL RD AUSTIN AL 78730

PHONE NUMBER: 817 4105 FAX NUMBER: 817 4044

EMAIL ADDRESS: TIM.PRECISIONSURVEY@GMAIL.COM

PARCEL INFORMATION

Project name: CODE GREEN PHASE 1 LOTS Address/Location: 3900 MARVIN PIKE

Current Land Use: RESIDENTIAL Current Zoning: C2

Adjacent Zoning Districts: North: C2 South: C2 East: C2+R1 West: R3

Description of Proposed Use: TOWNHOMES

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____ Date: _____

STATE OF ALABAMA, COUNTY OF LEE

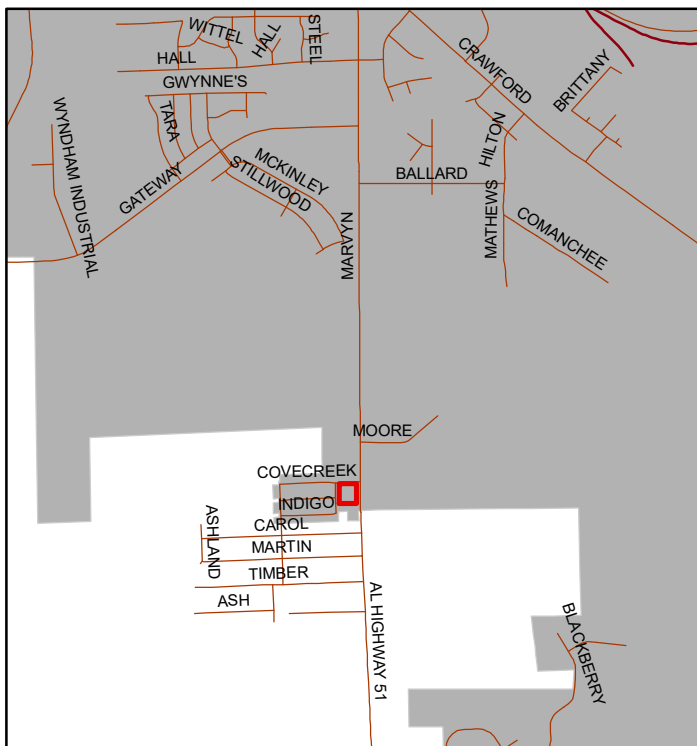
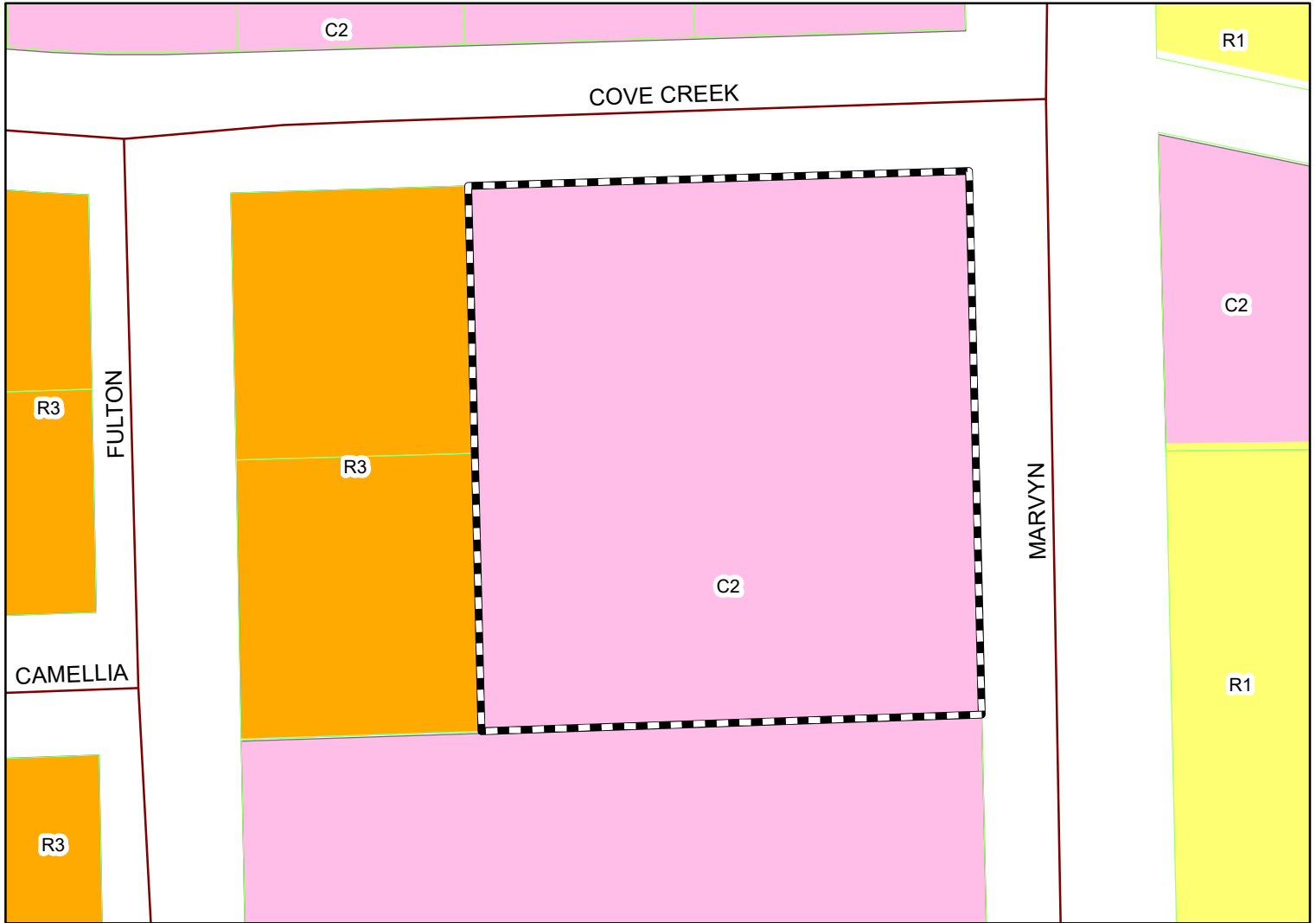
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

**TOWNHOMES AND PRELIMINARY & FINAL PLAT
3900 MARVYN PARKWAY
CONDITIONAL USE AND PLAT APPROVAL, D-3, 4**



The applicant is requesting to construct 6 townhome units (twin homes); each townhome on a platted lot. Townhomes are accessed by easement with a single driveway in rear yard. The Cove Creek plat provides the lots range from 6,905 sf to 11,487 sf and lot width 32' to 52'. The subject property is located in a C-2- GC-P zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: D-3

Action Requested: Conditional Use - Six Unit Townhome Development

Location of Property: 3900 Marvyn Parkway

Property Owner(s): Brandon Kohn and Jon Williamson

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-2, GC-P	Single family homes
South	C-2, GC-P	Church (Newsong Community Church)
East	C-2, R-1	Single family homes
West	R-4	Single family homes

Proposal

The applicant is requesting conditional use approval for a 6-unit townhome development on 1.1 acre lot at the corner of Marvyn Parkway and Cove Creek Drive. The lot is near the City limit line at the end of Marvyn Parkway and zoned commercial. Cove Creek subdivision is adjacent to the proposed townhome development on the west side, and north side across Cove Creek Drive. In 2008, the Cove Creek subdivision plat was approved, and 55 single family homes constructed. The adjacent property on the south side is a church (Newsong Community Church); single family homes are across Marvyn Parkway on the east side.

The townhome development consists of two townhomes attached or grouped together with a 34 foot open space between each townhome group (twin home). The buyer of a townhome also has ownership of the abutting front, side, and rear yards. The Townhouse Development Standards require that the front or rear yard area be no less than 50% of the main floor of the townhouse. The 1st floor area is 800 square feet (sf) for each townhome; the front yard area ranges from 3,100 square feet (sf) to 5,330 sf. for the six townhomes.

The six townhomes are two story with 2 bedroom and 2.5 bathrooms; each townhome is 1,133 square feet. In the C-2, GC-P zoning district, the development complies with the maximum density allowed

(16 units per acre) and the maximum 70% ISR (Impervious Surface Ratio). Minimum lot width requirement for a townhome is 20 feet. Minimum lot width ranges from 32' to 55'. Each townhome group (twin home) meets the 20 foot separation from another town home and the minimum setbacks along Marvyn Parkway (40") and Coved Creek Drive (30' side yard on street). Each townhome has two parking spaces as required; one parking space is an open carport for one vehicle attached to the townhome; the 2nd parking space is adjacent to the carport.

An HOA (Homeowners Association) will be established for the townhome owners. The association fees are for lawn maintenance and common area, and repairs to shared common driveways.

The landscape plan meets minimum requirements concerning base and parking lot points. A total of 30 canopy trees will be preserved along the south property line that provides a visual impervious buffer between the townhomes and church property. A total of 11 evergreen trees will be planted along the west property providing a residential buffer between the adjacent single family homes and townhomes. Along Cove Creek Drive and Marvyn Parkway a 15' buffer with shrubs will be provided. Along the front property line on Marvyn Parkway, a 15 foot buffer is provided with existing trees, natural wooded area, and shrubs planted providing a buffer between the townhomes and Marvyn Parkway. The size of trees and shrubs planted must meet the minimum size requirements as provided in the Landscape Regulation. City garbage services will be used for the townhomes.

Recommendation

Staff recommends approve subject to the following:

1. Install a residential buffer along the south property line according to the options described in the Landscape Regulations.

Engineering Department Report

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

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

Opelika Utilities Board Report

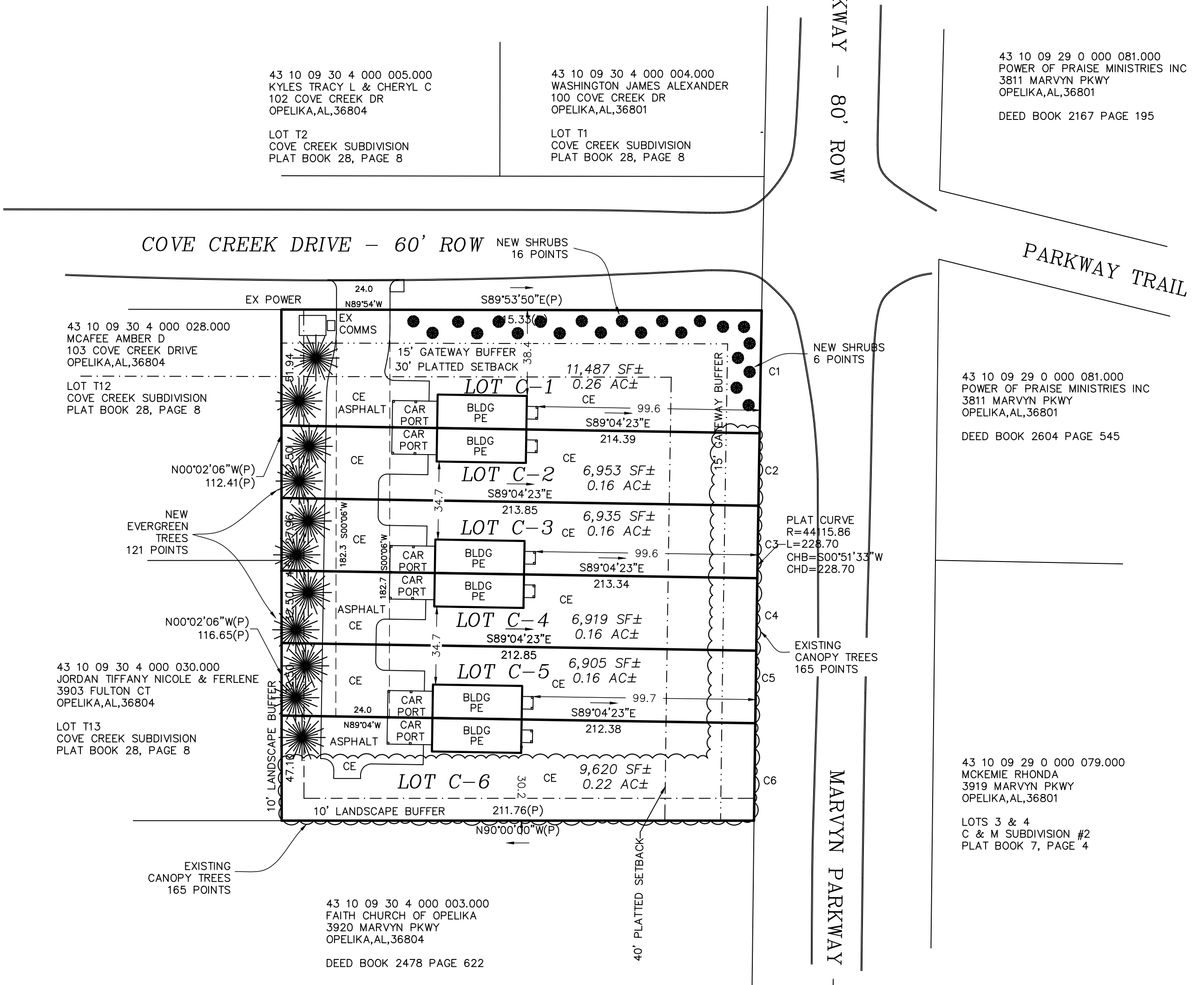
Water service is accessible to this use by a water main in the R.O.W. of Cove Creek Drive.

Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

Curve Table				
Curve #	Length	Radius	CHORD BEAR	CHORD DIST
C2	32.50	44115.86	S00°54'55"W	32.50
C3	32.50	44115.86	S00°52'23"W	32.50
C4	32.50	44115.86	S00°49'51"W	32.50
C5	32.50	44115.86	S00°47'19"W	32.50
C6	43.67	44115.86	S00°44'21"W	43.67
C1	55.03	44115.86	S00°58'19"W	55.03

COVE CREEK SUBDIVISION
PHASE 1
REDIVISION OF LOT C
SITE PLAN AND LANDSCAPE PLAN
SECTION 30 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA



NOTES:
1. 1 ACRE DEVELOPMENT = 120 BASE POINT REQUIREMENT
EXISTING CANOPY TREES : ~ 30 (X11) = 330 POINTS
PROPOSED LEYLAND CYPRESS (EVERGREENS): 11 (X11) = 121 POINTS
PROPOSED SHRUB/GROUNDCOVER: 22 (X1) = 22 POINTS
TOTAL PROPOSED SITE POINT: 473 POINTS
CE = COMMON ELEMENT
PE = PRIVATE ELEMENT

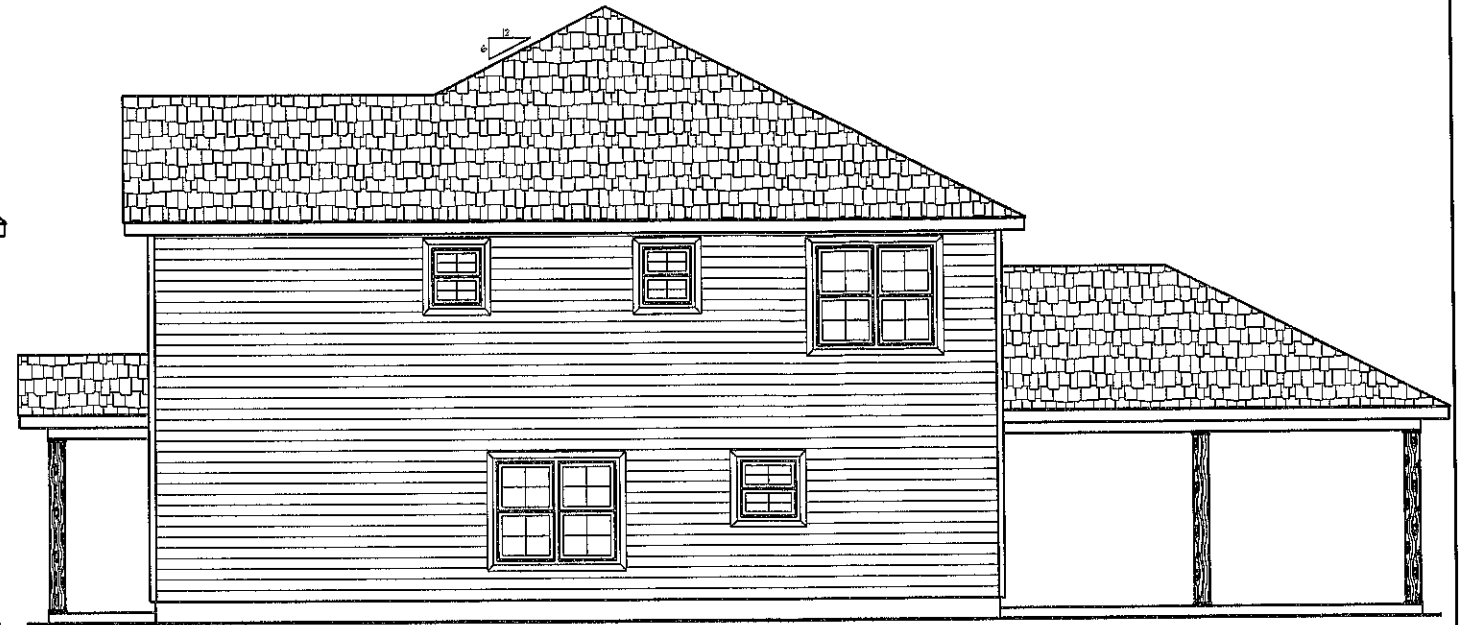
Seal	Drawn By: MGM/ TG	PRECISION SURVEYING 2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	Scale: 1"= 40'	
	File Name: 21-925-LP	
	Date: 10-28-2021	
Sheet Title: SITE AND LANDSCAPE PLAN		



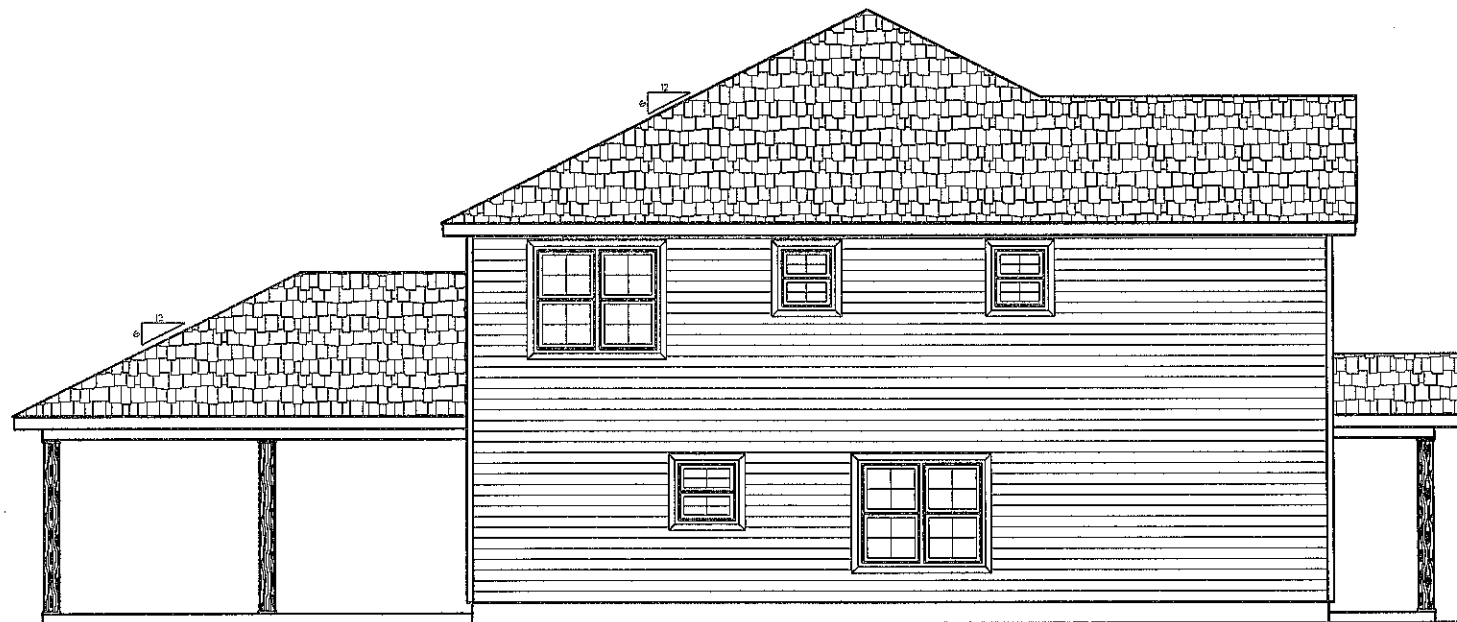
FRONT ELEVATION SC:1/4"=1'0"



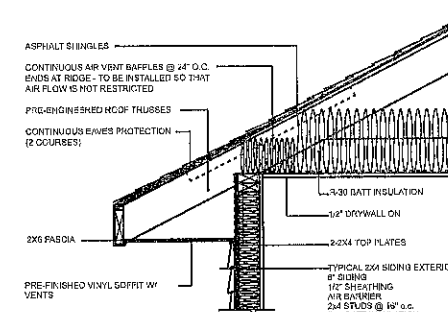
REAR ELEVATION SC:1/4"=1'0"



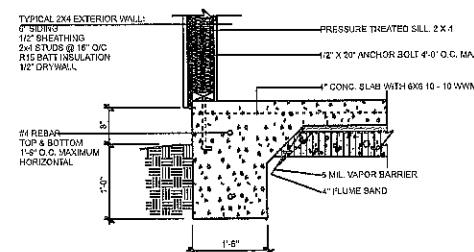
RIGHT ELEVATION SC:1/4"=1'0"



LEFT ELEVATION SC:1/4"=1'0"

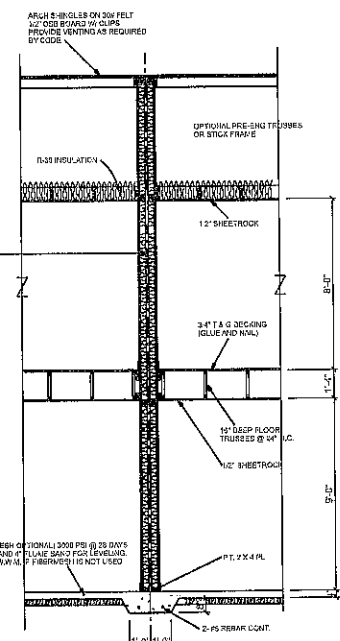


SIDING/4" STUD EAVE



SLAB & THICKENED EDGE FOOTING 4" STUD

GA WP 3725 STC - 58
2 hr. Firewall (non sprinkled)
between townhouses
2 x 4 @ 16" o.c. staggered on separate planes
3 layers 60# type X fiberglas sheetrock
each side of wall
1 1/2" air space
16" deep floor
trusses @ 24" o.c.
wall is continuous from slab to
underside of roof decking.
use fireproof caulking where
required.



2 HR. FIREWALL SECTION @ TOWNHOUSES
SCALE 1/4" = 1'-0"

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 RON JONES - DESIGNS 270 Barbershop Rd. Smilts Station, AL 36877 email: rdj289@aol.com phone (706) 681-4486	Scale	1/4" = 1'-0"
	Drawn By	RDJ
	Job Number	02171
	Date	10/26/2021
	Sheet	A-2

WHILE EVERY ATTEMPT HAS BEEN
MADE IN THE PREPARATION OF
THIS PLAN TO AVOID MISTAKES
THE MAKER CANNOT GUARANTEE
AGAINST HUMAN ERROR. THE
CONTRACTOR ON THE JOB MUST
CHECK ALL DIMENSIONS AND DETAILS
AND BE RESPONSIBLE FOR THE SAME

TOWNHOUSES



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

2603



DEADLINE: 11/2/21 MEETING: 11/23/21

SITE ADDRESS: 3900 WALTON PILEY
PROPERTY OWNER: BRANDON KOHN & JON WILLIAMSON
APPLICANT/AUTHORIZED REPRESENTATIVE: _____
MAILING ADDRESS: 2124 MOORE'S MILL RD ST 110 AUGUSTA AL 30603
PHONE NUMBER: 821 4005 FAX NUMBER: 821 4044
EMAIL ADDRESS: TIM.PRECIANSKY@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: COVE CREEK PH1 RED LOT C
Current Land Use: RESIDENTIAL
Current Zoning: C2
Proposed use of the Subdivision: _____
☒ Residential ☐ Commercial
☐ Manufacturing/Industrial ☐ Office/Institutional

Number of Lots: 6 x \$3.00 = \$ 18
Number of APO: 9 x \$7.00 = \$ 63
(Adjacent Property Owners)
Fee: \$75.00
TOTAL = \$ 156.00
PAID _____

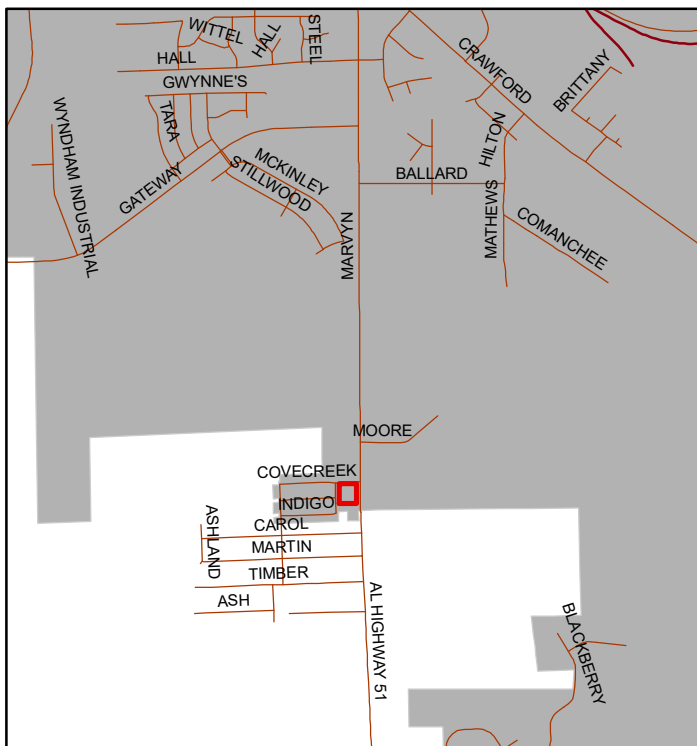
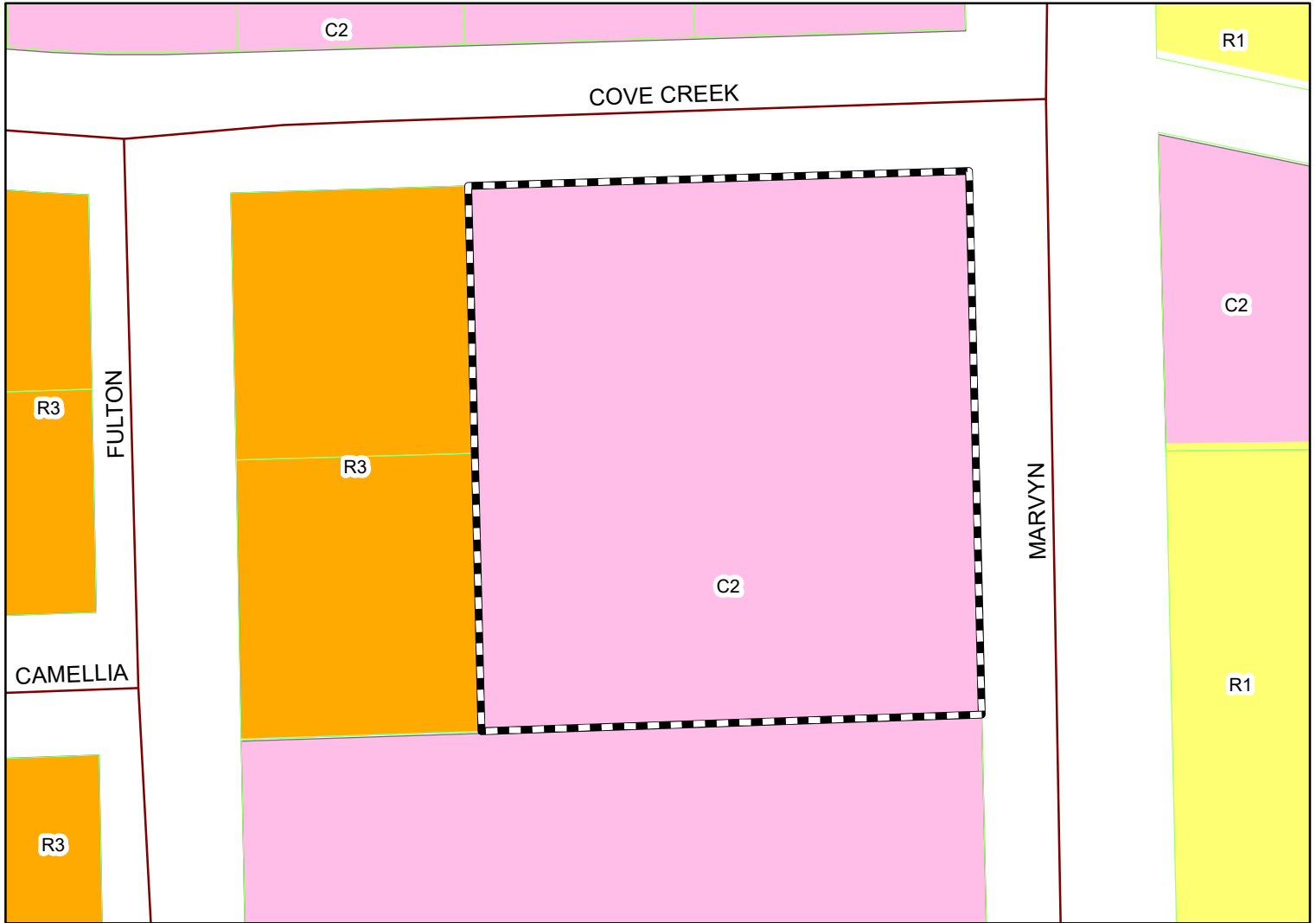
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) COVE CREEK PH1 RED LOT C Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations 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: David D. Kohn Jon Williamson
(PRINT NAME) David D. Kohn Jon Williamson DATE 11/2/21

TOWNHOMES AND PRELIMINARY & FINAL PLAT

3900 MARVYN PARKWAY

CONDITIONAL USE AND PLAT APPROVAL, D-3, 4



The applicant is requesting to construct 6 townhome units (twin homes); each townhome on a platted lot. Townhomes are accessed by easement with a single driveway in rear yard. The Cove Creek plat provides the lots range from 6,905 sf to 11,487 sf and lot width 32' to 52'. The subject property is located in a C-2- GC-P zoning district.



Subject Property

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

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

Meeting Date: November 23, 2021

Subdivision: Cove Creek , Phase 1, Redivision of Lot C

Agenda Item #: D-4

Action Requested: Preliminary and Final Approval

Location of Property: 3900 Marvyn Parkway

Property Owner(s): Brandon Kohn and Jon Williamson

Current Land Use: Undeveloped

Current Zoning: C-2, GC-P

Proposal

The applicant is requesting preliminary and final plat approval for a 6-lot townhome subdivision. The subject property is 1.1 acre; a townhome is proposed for each lot. The 6 townhome lots exceed the 1,800-sf minimum lot size and 20-foot lot width required for a townhouse development. The lots range from 6,905 square feet (sf) to 11,487 sf.; lot width ranges from 32.5 feet to 55 feet. Access to the six lots is from Cove Creek Drive; a private concrete driveway is proposed in the rear yard area.

Staff recommends preliminary and final approval subject to the following:

1. Add the address of the property owner/developer
2. Show or describe property markers that are found or set.
3. All utilities must be underground.
4. Add common area boundaries on lots and add note who is responsible to maintain the common area.

Engineering Department Report

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

Opelika Utilities Board Report

Water service is accessible to this use by a water main in the R.O.W. of Cove Creek Drive.

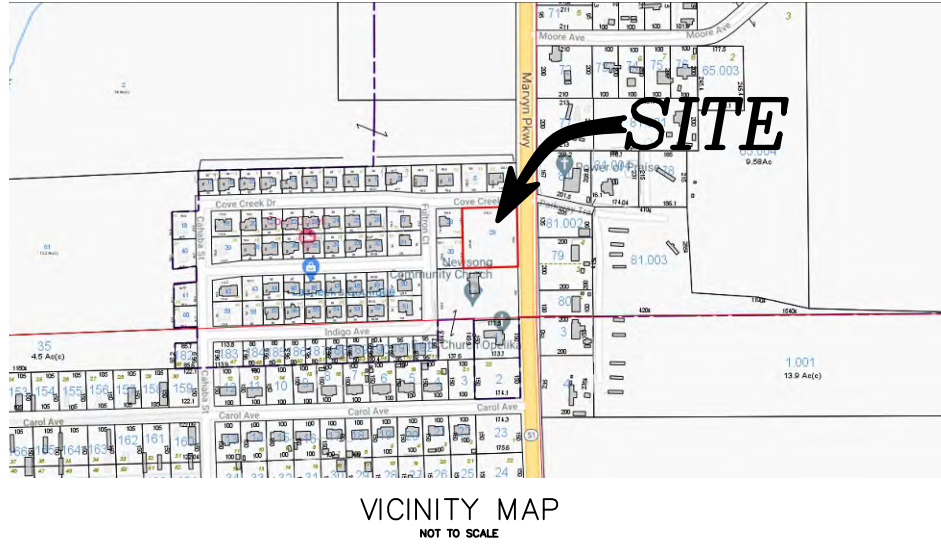
Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

LEGEND
(M) = MEASURED
(R) = RECORDED
OTP = 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
-o-o- = CHAIN LINK FENCE

GRAPHIC SCALE 1"=40'

40 0 40 80 120



COVE CREEK SUBDIVISION
PHASE 1
REDIVISION OF LOT C
SECTION 30 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA

State of Alabama
Lee County

I, Michael T Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.

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

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

State of Alabama
Lee County

We, Brandon Kohn and John Williamson, owners of the real property shown on this plat, hereby joins in the statement of Michael T Maher, and certify that it was and is my purpose to subdivide the lands so platted as shown,

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

Brandon Kohn _____ DATE _____

John Williamson _____ DATE _____

State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Brandon Kohn and John Williamson, whose names are 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, Alabama:
Director: _____ Date: _____

Approved by the Opelika City Planning Chairman, Opelika, Alabama:
Chairman: _____ Date: _____

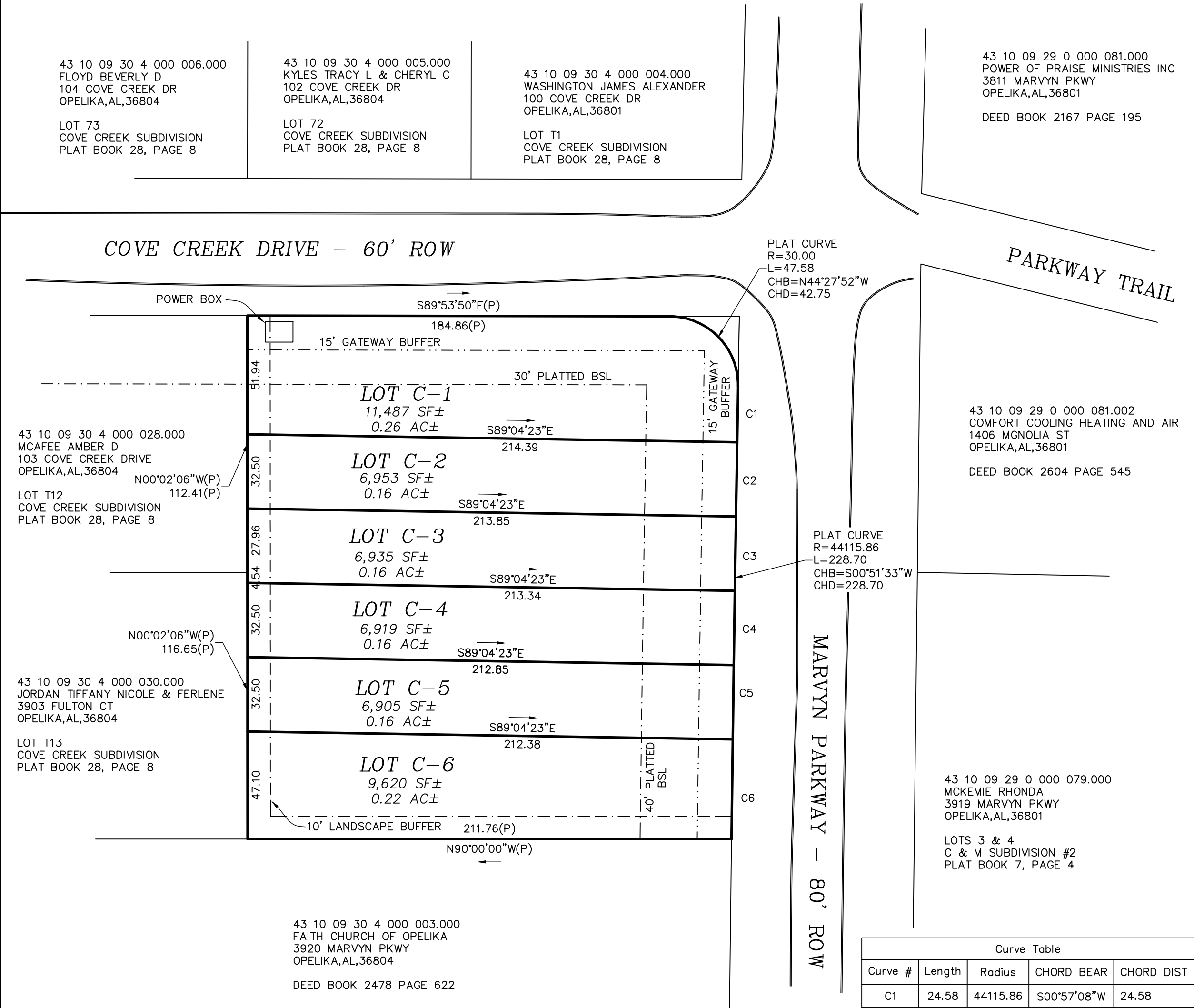
Approved by the Opelika Utilities Board, Opelika, Alabama:
Opelika Utilities Board: _____ Date: _____

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: _____

- NOTES:
1. SOURCE OF INFORMATION: COVE CREEK S/D PLAT BOOK 28 PAGE 8
 2. DATE OF FIELD SURVEY: OCT, 2021
 3. DATE OFFICE WORK COMPLETED: 10-4-21.
 4. BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL
 5. 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.
 6. NO PORTION OF THIS LOT LIES WITHIN THE 100 YR FLOOD PLAIN PER FEMA FIRM PANEL 01081C0230G, DATED 11-2-2011.
 7. SITE IS ZONED C2.



Curve Table				
Curve #	Length	Radius	CHORD BEAR	CHORD DIST
C1	24.58	44115.86	S00°57'08"W	24.58
C2	32.50	44115.86	S00°54'55"W	32.50
C3	32.50	44115.86	S00°52'23"W	32.50
C4	32.50	44115.86	S00°49'51"W	32.50
C5	32.50	44115.86	S00°47'19"W	32.50
C6	43.67	44115.86	S00°44'21"W	43.67

Seal	Drawn By: TG	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	Scale: 1" = 40'		
	File Name: 21-925-SD		
	Date: 10-4-2021		
Sheet Title: COVE CREEK SUBDIVISION PHASE 1 REDIVISION OF LOT C			



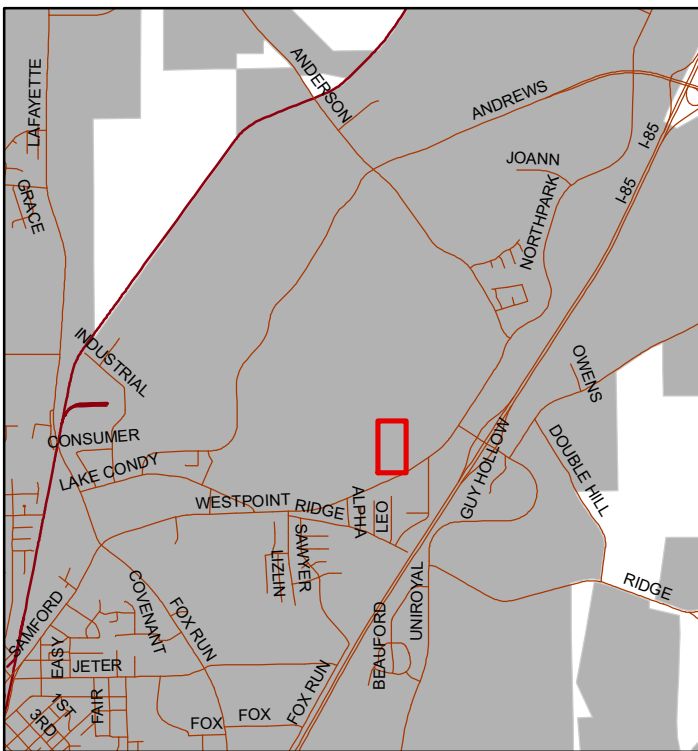
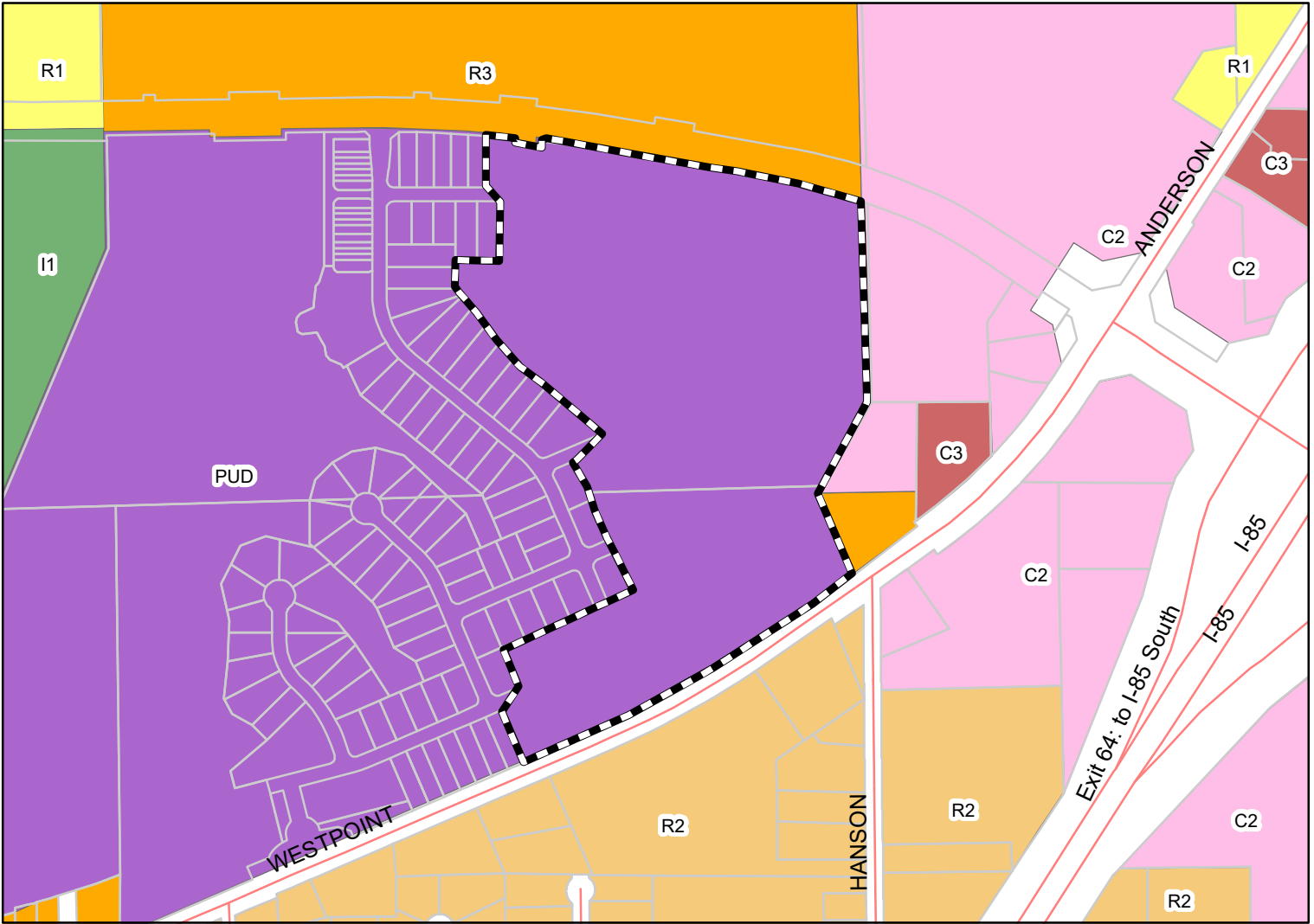
2599

Page 1 of 2

HIDDEN LAKES 3 SUBDIVISION

HIDDEN LAKES DRIVE

FINAL PLAT APPROVAL, E-5



The applicant is requesting final approval for 91 lots. The property is located in the Hidden Lakes PUD zoning district.



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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Subdivision: Hidden Lakes SD, Phase 3

Agenda Item #: E-5

Action Requested: Final Approval

Location of Property: Hidden Lakes Drive

Property Owner(s): 280 Land Company, LLC
Blake Rice, Barrett-Simpson, Inc.

Current Land Use: Undeveloped

Current Zoning: PUD

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0090G
Zone X – An area 0.2% or less annual chance of flood &
Zone A

Staff Comments:

The applicant is requesting final plat approval for a 91-lot subdivision on 33.45 acres. The Hidden Lakes Master Plan and PUD was approved in 2018. This plat includes 46 single family lots that are a minimum of 60 feet wide at the street and typically range between 9,000 to 10,000 square feet. The plat also includes 45 single family lots that are a minimum of 75 feet wide at the street and typically range between 11,250 to 16,000 square feet. This also includes one lot shown as a detention pond. The building setbacks for these lots will be 20 feet in the front, 25 feet in the rear, and 7 on the side.

The plat's street layout is consistent with the proposed PUD masterplan. Lots 7-11 and Lots 39-52 are double frontage lots along West Point Parkway and Sportsplex Road and required to have a rear 15 foot landscape buffer shown. Lots 12-38 should show a 15 foot landscape buffer to the rear as designated by the PUD Master Plan for separation between single family lots and commercial/multi-family use. The plat is largely consistent with the requirements for final plat approval as set forth by the subdivision regulations.

RECOMMENDATION: Approve subject to the following conditions:

- Add a rear 15' landscape buffer on Lots 7-11, Lots 12-38 and Lots 39-52 (part of the PUD Master Plan for separation between commercial/multi-family and double frontage lots on West Point Parkway and Sportsplex Road)
- Label remainder lot with number, ownership/maintenance, and the proposed use.
- Sidewalks are required on one side of every street.
- All utilities shall be located underground.
- Add Lots 7 and 8 to the Lot Table.

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

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

Opelika Utilities Board Report

Water service is accessible by a water main in the R.O.W. of West Point Parkway.

Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

Drawing Name: S:\2017\11-0111 McWhorter - Hidden Lakes Phase 3 Final Plat - Hidden Lakes Phase 3.dwg Date Modified: Nov 01, 2021 - 12:21pm by bshaver

Curve Table					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	Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	60.21'	4940.00'	S85° 14' 58"E	60.21'	C22(t)	177.45'	200.00'	N25° 26' 43"W	171.69'	C43	40.79'	175.00'	S59° 59' 34"W	40.70'	C64(t)	22.39'	25.00'	N76° 31' 21"W	21.65'
C2	56.46'	4940.00'	S84° 34' 22"E	56.46'	C23	11.74'	225.00'	N01° 29' 43"E	11.74'	C44	162.84'	175.00'	S26° 39' 27"W	157.03'	C65	76.29'	55.00'	S62° 26' 30"E	70.32'
C3(t)	116.67'	4940.00'	S84° 55' 19"E	116.67'	C24	54.18'	225.00'	N09° 53' 19"E	54.05'	C45(t)	203.63'	175.00'	N33° 20' 07"E	192.34'	C66	49.05'	55.00'	S02° 50' 46"W	47.44'
C4	49.23'	4915.00'	S83° 43' 35"E	49.23'	C25	54.18'	225.00'	N23° 41' 05"E	54.05'	C46	39.27'	25.00'	S45° 00' 00"E	35.36'	C67	44.05'	55.00'	S51° 20' 19"W	42.88'
C5	30.71'	4915.00'	S83° 15' 37"E	30.71'	C26	54.17'	225.00'	N37° 28' 50"E	54.04'	C47	62.15'	275.00'	N83° 31' 30"E	62.02'	C68	48.94'	55.00'	N80° 13' 32"W	47.34'
C6(t)	79.94'	4915.00'	N83° 32' 50"W	79.94'	C27	54.18'	225.00'	N51° 16' 36"E	54.05'	C48	49.82'	275.00'	N71° 51' 37"E	49.75'	C69	52.98'	55.00'	N27° 08' 25"W	50.95'
C7	155.39'	4940.00'	S82° 30' 56"E	155.39'	C28	33.36'	225.00'	N62° 25' 22"E	33.33'	C49(t)	111.97'	275.00'	S78° 20' 07"W	111.20'	C70(t)	271.31'	55.00'	S39° 08' 11"W	68.75'
C8	83.90'	4940.00'	S81° 07' 41"E	83.90'	C29(t)	261.81'	225.00'	N33° 20' 07"E	247.29'	C50	39.64'	325.00'	S70° 09' 55"W	39.62'	C71	22.39'	25.00'	N25° 12' 17"W	21.65'
C9	54.16'	4940.00'	S80° 19' 39"E	54.16'	C30	6.64'	3234.00'	S56° 26' 17"W	6.64'	C51	57.89'	325.00'	S78° 45' 45"W	57.81'	C72	70.27'	206.00'	N41° 05' 30"W	69.93'
C10(t)	293.45'	4940.00'	N81° 42' 54"W	293.41'	C31	96.42'	3234.00'	S57° 21' 04"W	96.42'	C52	34.80'	325.00'	S86° 55' 57"W	34.78'	C73	44.94'	206.00'	N25° 04' 11"W	44.85'
C11	38.12'	425.00'	N87° 25' 49"W	38.11'	C32	82.08'	3234.00'	S58° 55' 57"W	82.08'	C53(t)	132.33'	325.00'	S78° 20' 07"W	131.42'	C74(t)	115.21'	206.00'	N34° 50' 30"W	113.71'
C12	103.88'	425.00'	N77° 51' 30"W	103.62'	C33	60.58'	3234.00'	S60° 11' 47"W	60.58'	C54	39.27'	25.00'	S45° 00' 00"W	35.36'	C75	36.14'	25.00'	N60° 13' 47"W	33.07'
C13	56.85'	425.00'	N67° 01' 27"W	56.81'	C34	60.47'	3234.00'	S61° 16' 07"W	60.47'	C55	39.27'	25.00'	S45° 00' 00"E	35.36'	C76	76.18'	375.00'	S84° 10' 49"W	76.05'
C14	56.85'	425.00'	N59° 21' 34"W	56.81'	C35	60.33'	3234.00'	S62° 20' 07"W	60.37'	C56	2.54'	325.00'	N89° 46' 34"E	2.54'	C77	39.27'	25.00'	S45° 00' 00"W	35.36'
C15	34.59'	425.00'	N53° 11' 43"W	34.58'	C36	65.10'	3234.00'	S63° 27' 02"W	65.10'	C57	108.90'	325.00'	N79° 57' 10"E	108.40'	C78	106.66'	152.03'	S20° 36' 34"E	104.48'
C16(t)	290.30'	425.00'	N70° 25' 54"W	284.69'	C37	65.04'	3234.00'	S64° 36' 12"W	65.04'	C58	20.89'	325.00'	N68° 30' 43"E	20.89'	C79	26.49'	152.03'	S45° 41' 56"E	26.46'
C17	10.33'	200.00'	N49° 23' 02"W	10.33'	C38	60.51'	3234.00'	S65° 42' 56"W	60.51'	C59(t)	132.33'	325.00'	S78° 20' 07"W	131.42'	C80(t)	133.15'	152.03'	N25° 36' 05"W	128.93'
C18	53.51'	200.00'	N40° 14' 23"W	53.35'	C39	25.28'	3234.00'	S66° 28' 32"W	25.28'	C60	37.30'	25.00'	S23° 55' 31"W	33.94'	C81	179.03'	375.00'	S64° 32' 24"E	177.33'
C19	53.51'	200.00'	N24° 54' 37"W	53.35'	C40(t)	582.51'	3234.00'	S61° 32' 22"W	581.72'	C61	87.25'	156.00'	S34° 50' 30"E	86.11'	C82	77.12'	375.00'	S84° 06' 30"E	76.99'
C20	53.51'	200.00'	N09° 34' 50"W	53.35'	C41	39.27'	25.00'	S21° 40' 14"W	35.36'	C62	21.81'	25.00'	S75° 51' 33"E	21.13'	C83(t)	256.15'	375.00'	N70° 25' 54"W	251.20'
C21	6.59'	200.00'	N00° 58' 17"W	6.59'	C42	39.27'	25.00'	N68° 19' 46"W	35.36'	C63	0.58'	25.00'	N78° 28' 55"E	0.58'					

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
9	0.54	23,590	25	0.21	9,049	41	0.27	11,859	124	0.27	11,837	157	0.26	11,411	175	0.26	11,250
10	0.29	12,632	26	0.21	9,047	42	0.25	10,789	125	0.25	11,059	158	0.37	15,965	183	0.30	13,200
11	0.33	14,508	27	0.21	9,046	43	0.26	11,166	126	0.26	11,223	159	0.32	13,883	184	0.30	12,900
12	0.31	13,717	28	0.21	9,044	44	0.26	11,474	127	0.85	37,193	160	0.28	12,014	185	0.30	12,900
13	0.28	12,339	29	0.21	9,042	45	0.29	12,658	128	0.40	17,449	161	0.26	11,245	186	0.32	14,116
14	0.28	12,303	30	0.21	9,043	46	0.30	12,853	129	0.35	15,235	162	0.26	11,250	187	0.32	14,116
15	0.28	12,267	31	0.21	9,047	47	0.28	12,064	147	0.44	19,057	163	0.26	11,250	188	0.26	11,250
16	0.28	12,232	32	0.21	9,050	48	0.28	12,093	148	0.30	13,125	164	0.26	11,250	189	0.26	11,187
17	0.28	12,196	33	0.21	9,053	49	0.28	12,094	149	0.30	13,073	167	0.26	11,250	190	0.32	13,792
18	0.28	12,161	34	0.21	9,057	50	0.28	12,094	150	0.38	16,518	168	0.26	11,250			
19	0.30	12,913	35	0.21	9,060	51	0.28	12,095	151	1.13	49,139	169	0.26	11,282			
20	0.39	16,992	36	0.22	9,466	52	0.28	12,095	152	1.38	59,970	170	0.30	12,896			
21	0.34	14,814	37	0.26	11,506	120	0.29	12,604	153	0.55	23,783	171	0.35	15,298			
22	0.27	11,651	38	0.33	14,338	121	0.39	16,898	154	0.30	13,053	172	0.26	11,533			
23	0.21	9,302	39	0.34	14,959	122	0.30	13,090	155	0.28	12,278	173	0.26	11,176			
24	0.21	9,051	40	0.30	12,920	123	0.29	12,654	156	0.30	13,023	174	0.26	11,250			

SURVEYOR'S CERTIFICATE
For Review Only
Date: 11/01/2021
Date:

I, Jonathan A. Ham, hereby certify that this plat was prepared in accordance with the current requirements of the Standards of Practice for Land Surveying in Alabama to the best of my knowledge, information, and belief.

Jonathan A. Ham, PLS
Alabama License No. 34761

Easement Line Table			Easement Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	144.74'	S12° 34' 38"E	L13	20.00'	N33° 14' 02"W
L2	145.02'	S12° 34' 38"E	L14	60.26'	S56° 45' 58"W
L3	38.61'	S21° 13' 20"E	L15	84.62'	N45° 08' 31"E
L4	20.00'	S68° 46' 40"W	L16	62.13'	S45° 08' 31"W
L5	49.88'	N21° 13' 20"W	L17	154.28'	S00° 43' 52"W
L6	37.70'	S21° 13' 20"E	L18	10.00'	N89° 16' 08"W
L7	20.00'	N68° 46' 40"E	L19	163.38'	S06° 44' 30"W
L8	24.29'	N21° 13' 20"W	L20	10.00'	N83° 15' 30"W
L9	24.81'	S16° 31' 58"W	L21	181.78'	S69° 32' 31"W
L10	20.00'	S73° 28' 02"E	L22	10.00'	N20° 27' 29"W
L11	23.88'	N16° 31' 58"E	L23	179.19'	N00° 37' 31"E
L12	53.90'	N56° 45' 58"E	L24	50.86'	N39° 16' 12"W

Line Table		
Line #	Length	Direction
L1	8.13'	S18° 49' 12"E
L2	7.70'	S18° 49' 12"E
L3	30.11'	N90° 00' 00"E
L4	30.11'	N90° 00' 00"E



PHASE 3
Being A Part of
Section 33, Township 20 North, Range 27 East, &
Section 4, Township 19 North, Range 27 East,
Opelika, Lee County, Alabama

NOTES

- Survey North is Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Basis for Survey:
 - Boundary Survey for 280 Land Company LLC and Colonial Bank N.A. and First American Title Insurance Company (Title Commitment Number 05-2397) and Adams, Umbach, Davidson & White, LLP prepared by Glenn N Gaylor, Alabama Professional Land Surveyor No. 20890, Dated January 5, 2006.
- According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0090G, effective November 02, 2011, the subject property is located:
 - Zone X (Areas Determined to be outside the 0.2% annual chance floodplain)
 - Zone A (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. (With exception given to townhome lots.)
- There is a ten (10) foot utility and drainage easement along the right-of-way of each lot.
- There is a fifteen (15) foot residential buffer required along the rear lot lines of lots 7-11 and 39-52.
- 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.
- Property Data:
 - Number of Lots: 91
 - Largest Lot: Lot 152 - 1.38 Acres (59,970 SqFt)
 - Smallest Lot: Lot 29 - 0.21 Acres (9,042 SqFt)
 - Total Area: 33.45 Acres (1,457,200 SqFt)
- Building Setbacks:
 - Current Zone: PUD
 - Front yard setback: 20'
 - Side yard setback: 7'
 - Rear yard setback: 25'

DEDICATION

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

Signed and sealed in the presence of:

280 Land Company LLC
Earlon C. McWhorter, Managing Member

ACKNOWLEDGEMENT

STATE OF ALABAMA
COUNTY OF LEE

I, _____, Notary Public in and for said County, in said State,

hereby certify that Earlon C. McWhorter, 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 content of the instrument, executed the same voluntarily.

GIVEN under my hand and official seal this ____ day of _____ 2020.

Notary Public

VICINITY MAP
(not to scale)



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors
700 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2489)
1211 W. BROAD STREET, EUFULIA, AL 36527 (PH 334-687-4297, FAX 334-687-8809)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)



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

DEVELOPER
280 Land Company, LLC
P.O. Box 908
Anniston, AL 36602

LEGEND
● Iron Pin Found and Type
○ 1/2" Rebar Set - Orange Cap
Stamped AL CA718 LSP000600
ROW Right-of-Way
N/F Now or Formerly
DB: Deed Book
PB: Plat Book
PG: Page
D.U.E. Drainage & Utility Easement
(R) Record Distance or Bearing
— Overhead Electric Lines
— Not to Scale

***Common/ Open Space Lots shown on this plat shall be owned and maintained by the Homeowners Association established for said lots.**



**APPLICATION FOR
SUBDIVISION APPROVAL** 2526
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



11/2/21 11/23/21
DEADLINE: 9/7/21 MEETING: 9/28/21

SITE ADDRESS: EAST OF 676 VILLAGE DR.
PROPERTY OWNER: HOLLAND HOMES LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: DANIEL HOLLAND
MAILING ADDRESS: 2124 MOORES MILL RD. ST. 110 AUBURN AL 36830
PHONE NUMBER: 821-0105 **FAX NUMBER:** 821-4044
EMAIL ADDRESS: TIM.PRECISIONSURV@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: FOX RUN PH. 1C

Current Land Use: RESIDENTIAL

Current Zoning: PUD

Proposed use of the Subdivision: _____

☒ 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 = _____

PAID _____

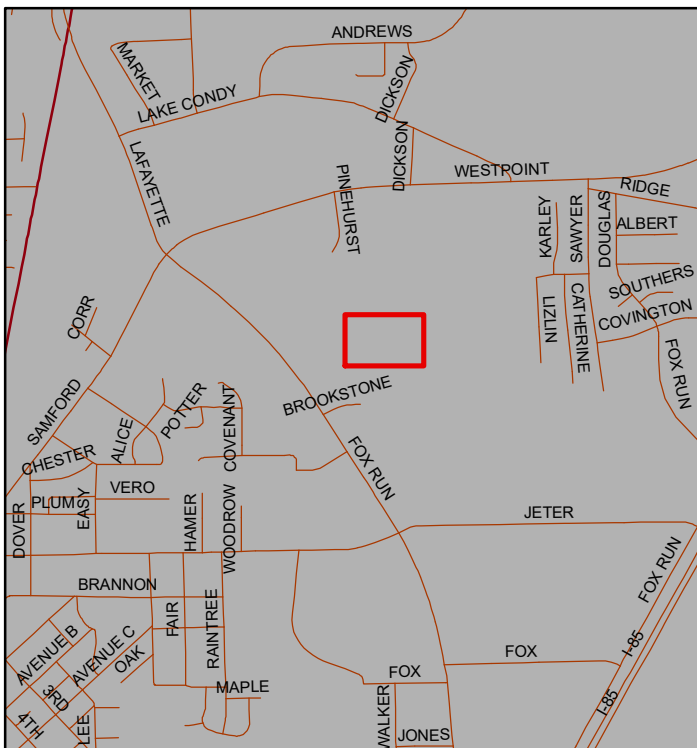
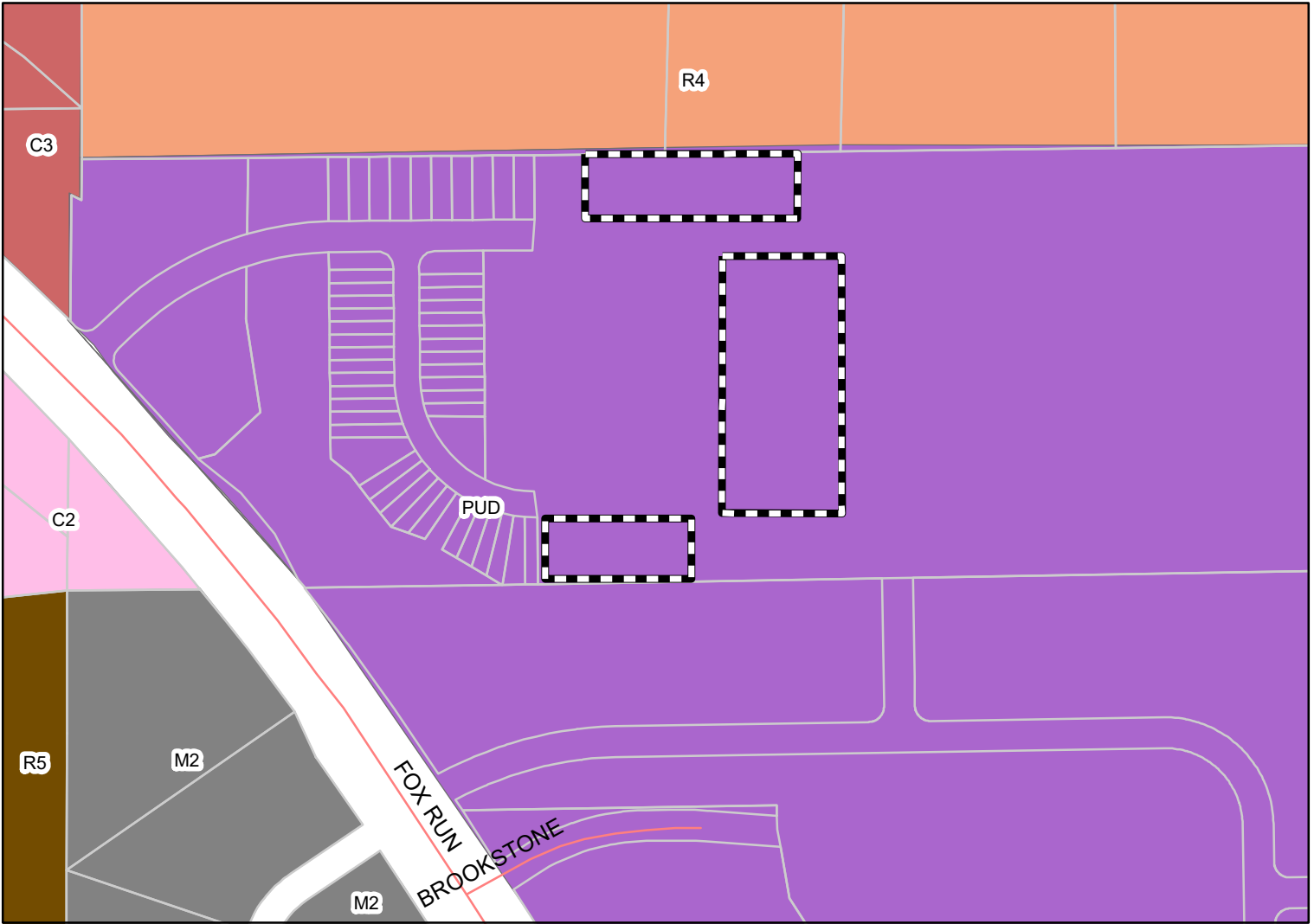
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) FOX RUN Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for 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:**

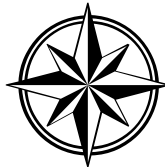
(PRINT NAME) Daniel Holland

DATE 9/7/21

FOXRUN PHASE 1C SUBDIVISION VILLAGE DRIVE AND BURROW CIRCLE FINAL PLAT APPROVAL, E-6



The applicant is requesting final approval for 42 lots. The property is located in the Foxrun Village PUD zoning district. This item was tabled at the October 26th PC meeting.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021 (Tabled on October 26, 2021)

Subdivision: Foxrun Subdivision, Phase 1C

Agenda Item #: E-6

Action Requested: Final Approval

Location of Property: Foxrun Parkway and Village Drive

Property Owner(s): Holland Homes, LLC
Thomas Johnson & Mike Maher, authorized representatives

Current Land Use: Residential development under construction

Current Zoning: PUD

Flood Zone: FEMA – Nov 2, 2011 – Flood Zone “X” – Map
#01081C0090G areas outside the 0.2% chance of annual
chance of flooding

Staff Comments:

The applicant is requesting final plat approval for a 43-lot subdivision of a planned 248-lot subdivision located in the Fox Run Village PUD zoning district. The master plan and zoning were approved by City Council in September 2019. The plat consists of 8 single family lots, 32 twin home lots, one open space/dog walk lot (Lot 94), one pool and amenities lot (Lot 77), and one remainder future development lot of 30.3 acres. The 8 single family home (SFH) lots front on Village Drive and the 32-twin home (duplex) lots are on Burrow Circle.

For single family home lots, the master plan requires a minimum lot size of 4,200 square feet and a minimum 40-foot lot width. The proposed plat shows the single-family home lots at 4,990 to 5,003 square feet; all lots are 40 feet wide. The minimum building setbacks for single family home lots is 20 feet for the front and rear yard, and 5 feet on each side yard.

The plat also includes a twin home (or a duplex) on Burrow Circle. Each dwelling unit is on a separate lot. The two lots are attached along a shared side yard property line and a common wall. The minimum twin home lot area requirement is 3,000 square feet and minimum 25-foot

lot width. Each twin home lot is 3,250 square feet and lot width 25 feet. The minimum building setbacks for twin home lots: front yard 10 feet, rear yard 20 feet, and side yard 5 feet.

Underground utilities are required, and sidewalks are required on at least one side of the street. The proposed plat is largely in compliance with the approved master plan and the subdivision regulations.

Staff recommends preliminary plat approval subject to the following:

- **Note the specific use, ownership, and maintenance of Lot 94 (PUD requires this to be open space and dog walk area)**
- **Note the specific use, ownership, and maintenance of Lot 77 (PUD requires this to be pool and amenities area)**
- **Note the specific use, ownership, and maintenance and parcel title of the ruminant lot (PUD requires this area to be divided into open space, detention, wetlands, and future development areas)**
- **Add 10' bufferyards to the rear of lots 17-24**
- **Underground utilities shall be required**
- **Sidewalks shall be required on at least one side of the street.**

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

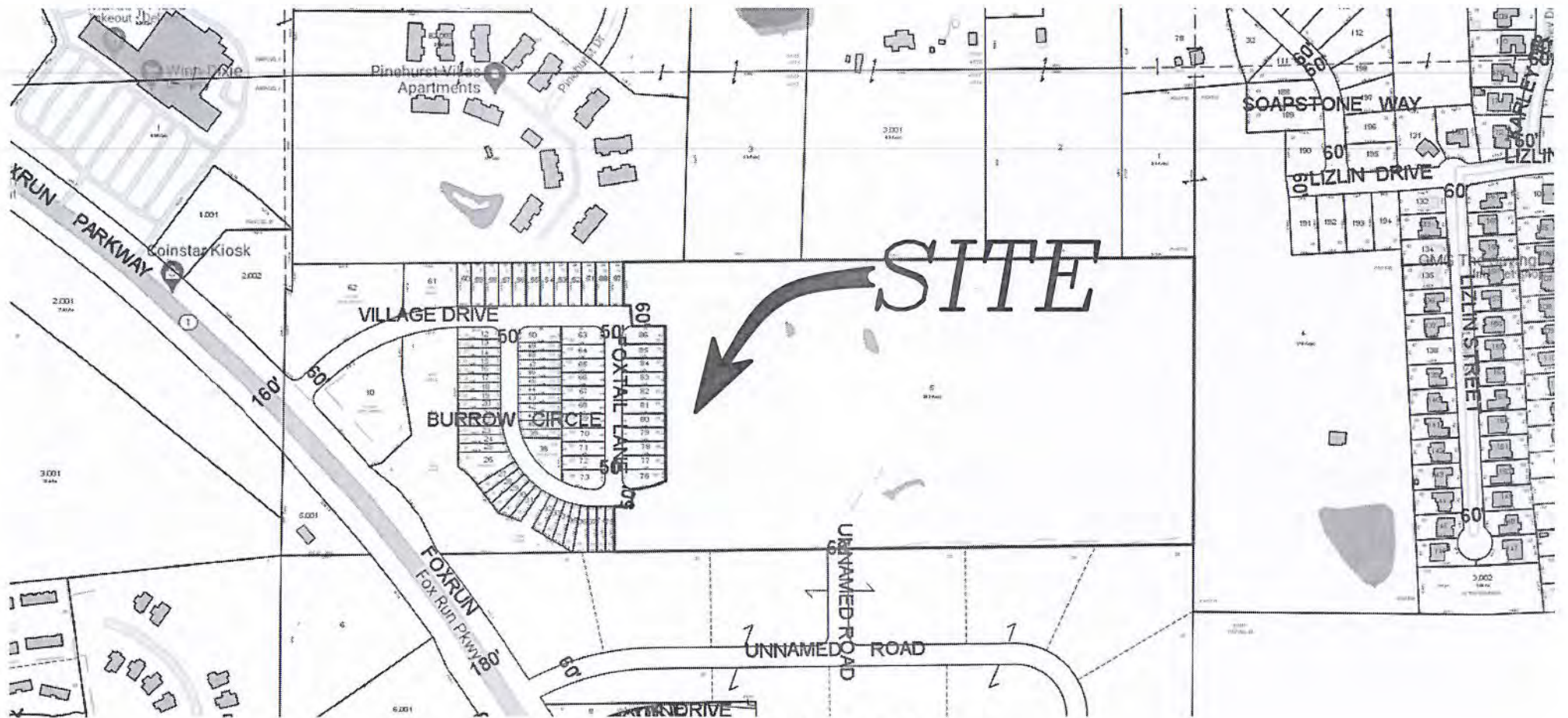
If these requirements are met, the Engineering Department recommends Final Plat approval.

Opelika Utilities Board Report

Water service is accessible from Village Drive.

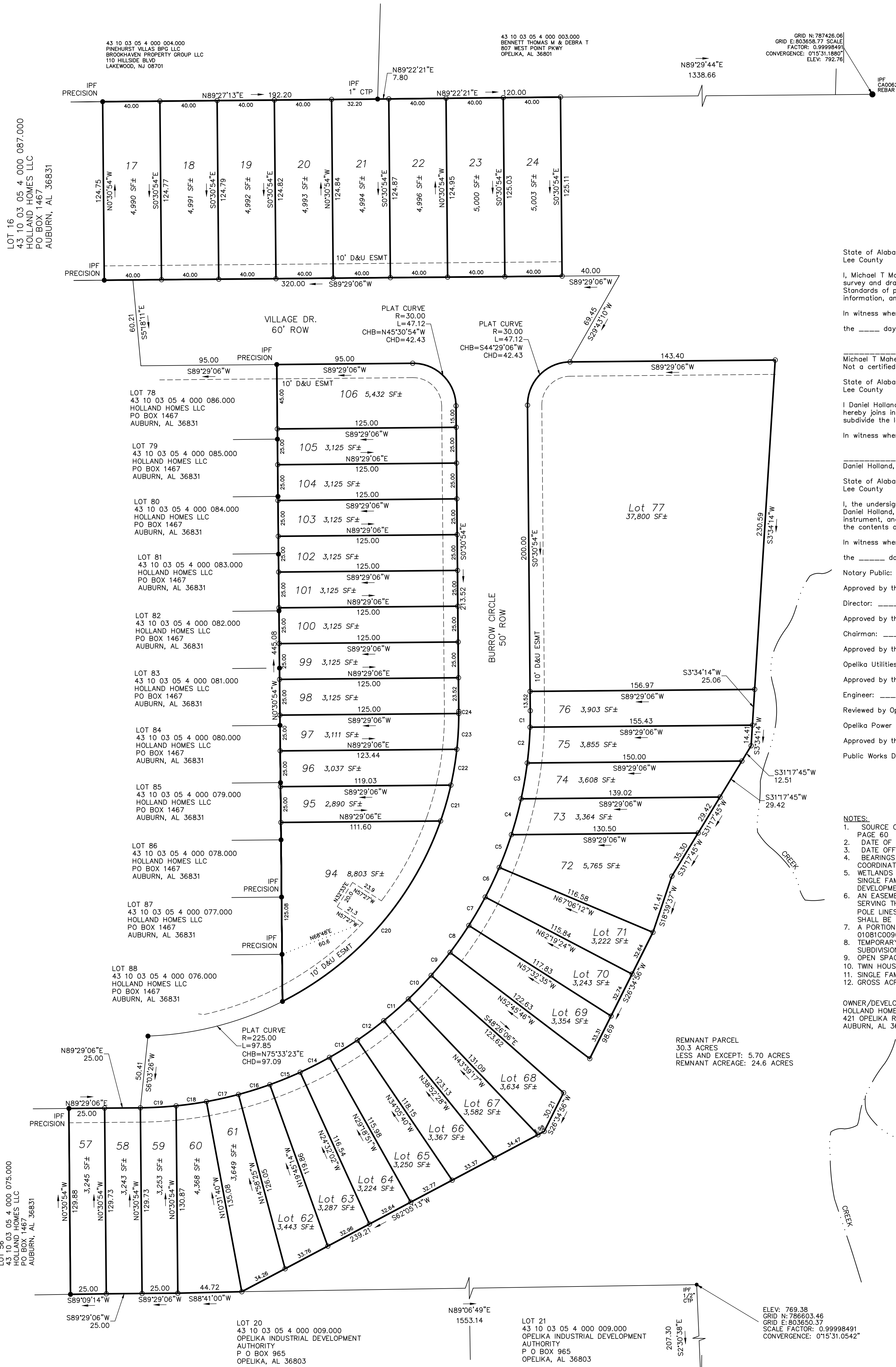
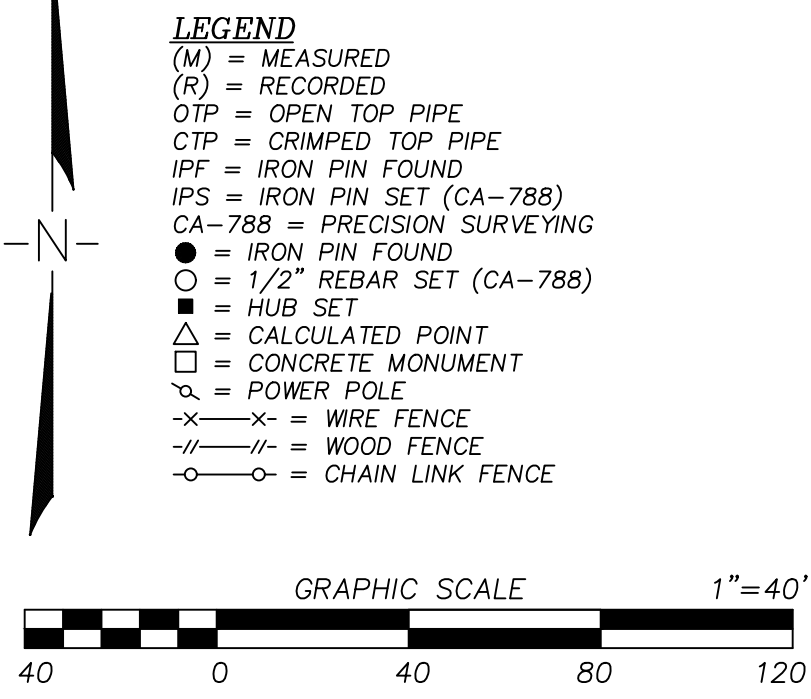
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.



VICINITY MAP
NOT TO SCALE

FOXRUN SUBDIVISION
PHASE 1C
SECTION 5 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA



State of Alabama
Lee County

I, Michael T. Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.

In witness whereof, I have hereunto set my hand and seal on this the ____ day of _____, 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, Daniel Holland, President of Holland Homes, LLC, owner of the real property shown on this plat, hereby joins in the statement of Michael T. Maher, and certify that it was and is my purpose to subdivide the lands so platted as shown,

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

Daniel Holland, Holland Homes LLC _____ DATE _____

State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Daniel Holland, as President of Holland Homes, LLC, 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, Alabama:
Director: _____ Date: _____

Approved by the Opelika City Planning Chairman, Opelika, Alabama:
Chairman: _____ Date: _____

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

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

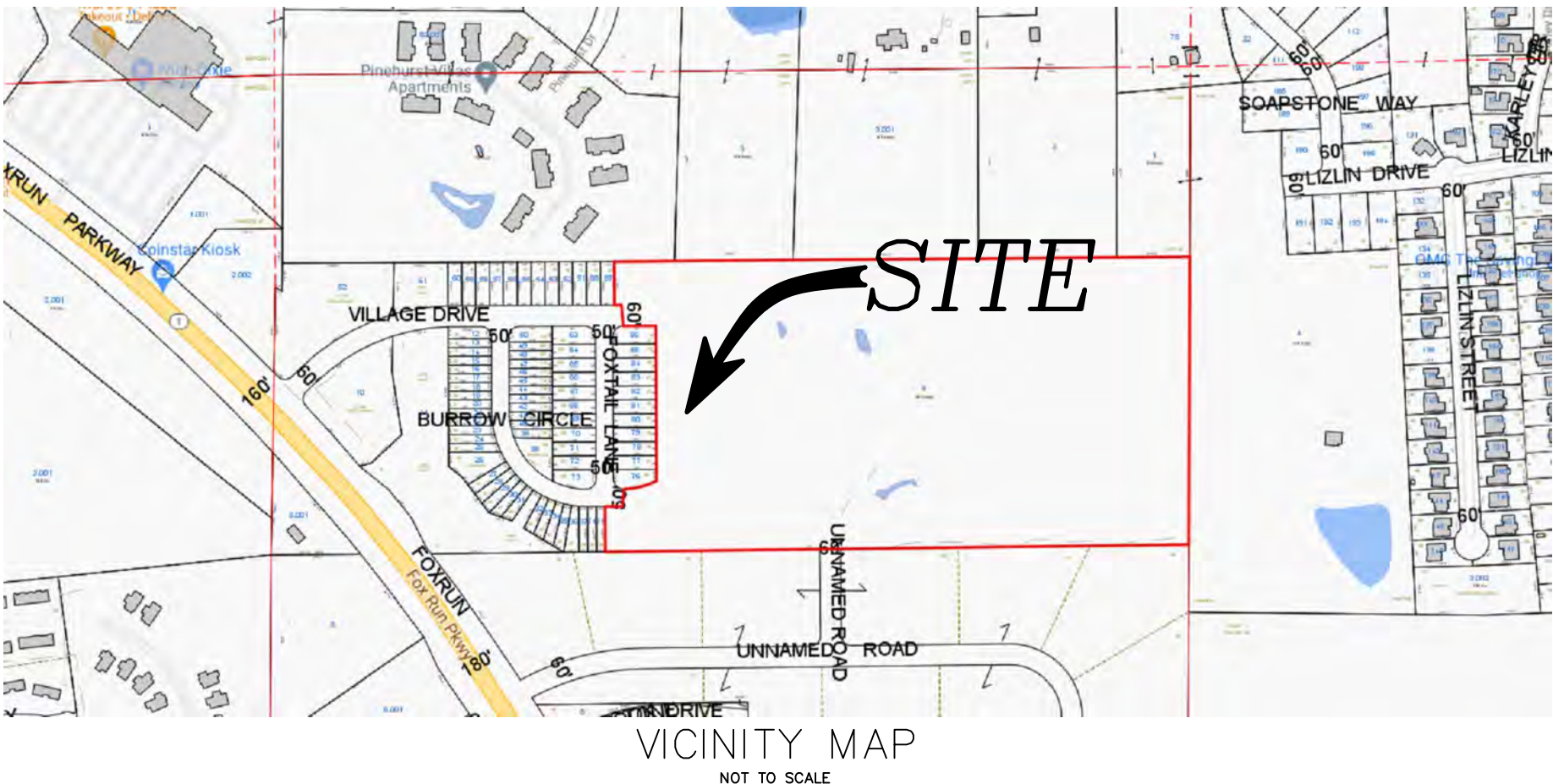
Reviewed by Opelika Power Services, Opelika, Alabama:
Opelika Power Services: _____ Date: _____

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

- NOTES:
- SOURCE OF INFORMATION: DEED BOOK 2589 PAGE 669, FOXRUN S/D PH. 1B PLAT BOOK 45 PAGE 60
 - DATE OF FIELD SURVEY: SEPTEMBER, 2021
 - DATE OF WORK COMPLETED: 9-1-21
 - BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORS AS CONTROL
 - WETLANDS CURRENTLY HAVE BEEN DELINEATED AND NO WETLANDS ARE PRESENT ON THESE SINGLE FAMILY OR TWIN HOME LOTS. WETLANDS ARE ALL IN OPEN SPACE LOTS OR FUTURE DEVELOPMENT
 - 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 LOT LIES WITHIN THE 100 YR FLOOD PLAIN PER FEMA FIRM PANEL 01081C0090C, DATED 11-2-2011.
 - TEMPORARY CUL-DE-SAC EASEMENT SHALL BE UPDATED UPON DEDICATION OF FOX RUN SUBDIVISION PHASE 1C.
 - OPEN SPACE LOTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 - TWIN HOUSE SETBACKS = 10' FRONT, 20' REAR, 5' SIDE SETBACK
 - SINGLE FAMILY SETBACKS = 20' FRONT, 20' REAR, 5' SIDE SETBACK
 - GROSS ACREAGE: 5.70 AC 248,525.73 S.F.

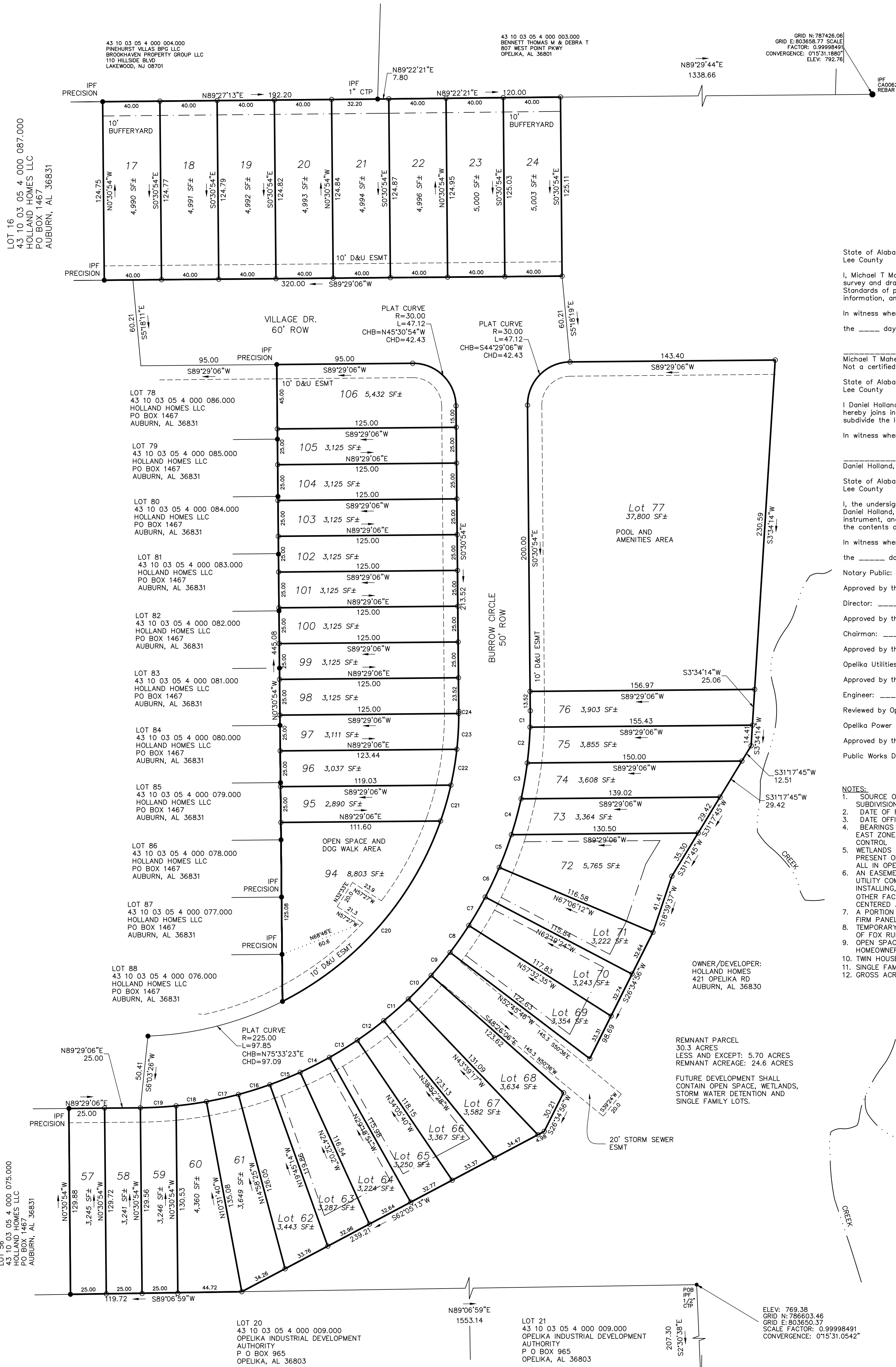
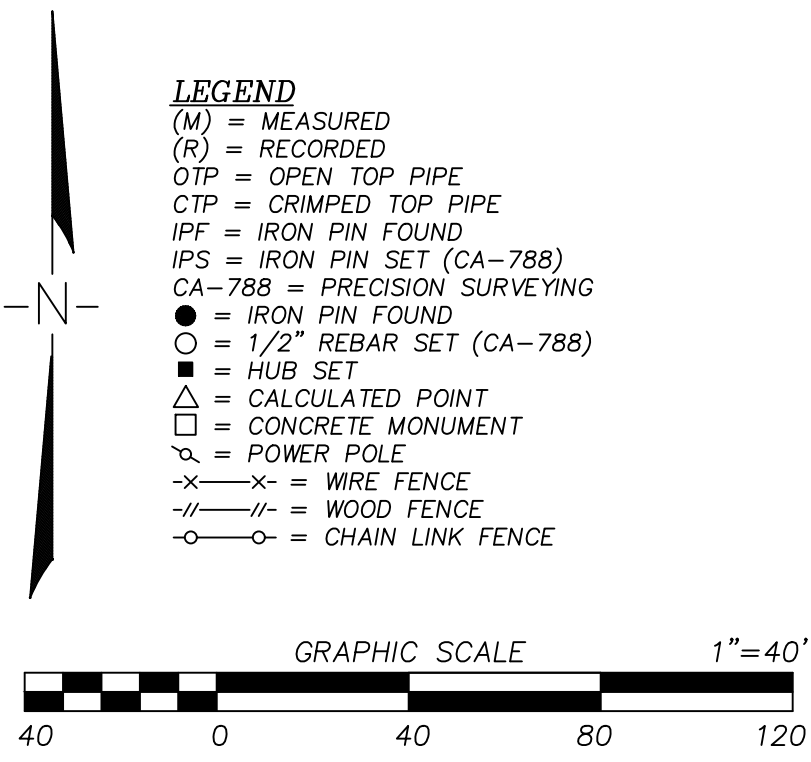
OWNER/DEVELOPER:
HOLLAND HOMES
421 OPELIKA RD
AUBURN, AL 36830

Curve Table				
Curve #	Length	Radius	CHORD BEARING	CHORD DIST
C1	11.48	275.00	N0°40'53"E	11.48
C2	25.10	275.00	N4°29'34"E	25.10
C3	25.42	275.00	N9°45'21"E	25.41
C4	25.97	275.00	N15°06'31"E	25.96
C5	24.39	275.00	N20°21'19"E	24.39
C6	22.94	275.00	N25°17'12"E	22.94
C7	22.94	275.00	N30°04'01"E	22.94
C8	22.94	275.00	N34°50'50"E	22.94
C9	20.77	275.00	N39°24'04"E	20.77
C10	22.94	275.00	N43°57'19"E	22.94
C11	22.94	275.00	N48°44'07"E	22.94
C12	22.94	275.00	N53°30'56"E	22.94
C13	22.52	275.00	N58°20'24"E	22.51
C14	22.94	275.00	N63°04'33"E	22.94
C15	22.94	275.00	N67°51'22"E	22.94
C16	22.94	275.00	N72°38'11"E	22.94
C17	22.94	275.00	N77°25'00"E	22.94
C18	21.42	275.00	N82°02'16"E	21.41
C19	25.03	275.00	N86°52'37"E	25.03
C20	171.77	225.00	N41°13'37"E	167.63
C21	26.09	225.00	N16°02'02"E	26.08
C22	25.40	225.00	N9°28'39"E	25.39
C23	25.06	225.00	N3°03'10"E	25.05
C24	1.48	225.00	N0°19'36"W	1.48



Seal	Drawn By: TG	PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	Scale: 1"=40'		
	File Name: 21-808-PH1C		
	Date: 9-1-2021		
		Sheet Title: FOXRUN SUBDIVISION PHASE 1C	

FOXRUN SUBDIVISION
PHASE 1C
SECTION 5 T 19 N R 27 E
OPELIKA LEE COUNTY ALABAMA



State of Alabama
Lee County

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Michael T. Maher, Alabama License No. 29993
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State of Alabama
Lee County

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Daniel Holland, Holland Homes LLC _____ DATE _____

State of Alabama
Lee County

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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, Alabama:

Director: _____ Date: _____

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

Chairman: _____ 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: _____

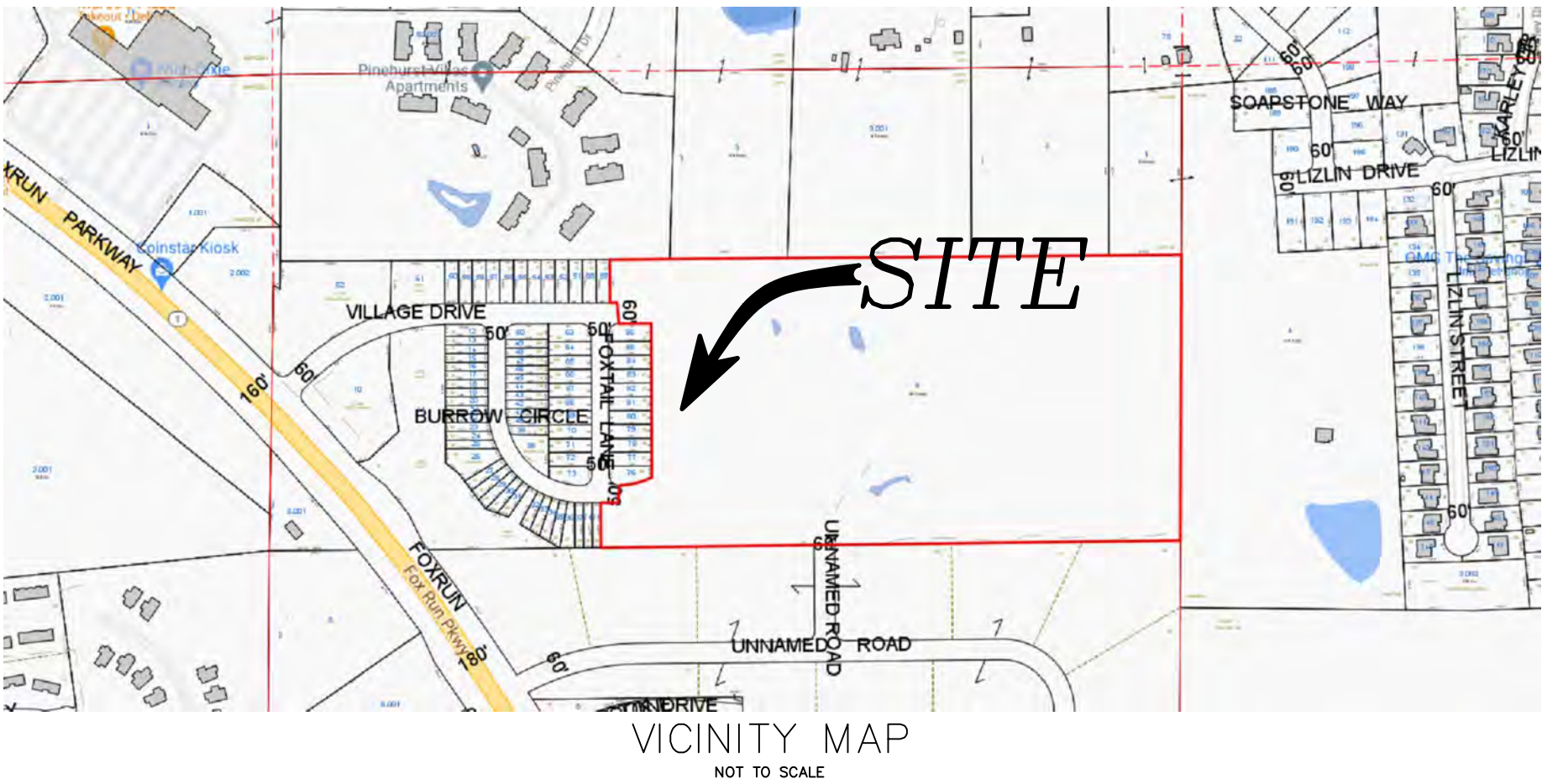
Approved by the Opelika Public Works Department:

Public Works Director: _____ Date: _____

NOTES:

- SOURCE OF INFORMATION: DEED BOOK 2589 PAGE 669, FOX RUN SUBDIVISION PHASE 1B RECORDED IN PLAT BOOK 45 PAGE 60
- DATE OF FIELD SURVEY: SEPTEMBER, 2021
- DATE OFFICE WORK COMPLETED: 11-16-21
- BEARINGS BASED ON STATE PLANE COORDINATES, NAD 1983, ALABAMA EAST ZONE, US FOOT. COORDINATES SET USING RTK GPS, ALDOT CORRS AS CONTROL
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Seal	Drawn By: TG
	Scale: 1"=40'
	File Name: 21-808-PH1C
	Date: 9-1-2021

PRECISION SURVEYING	2124 Moores Mill Road Suite 110 Auburn, Alabama 36830 Phone (334) 821-0105 www.precisionsurveying.biz
	FOX RUN SUBDIVISION PHASE 1C



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



2005

11/23/21

PC DEADLINE: 11/2/2021 PC MEETING: TBD

SITE ADDRESS: 408 1st Avenue

PROPERTY OWNER: The Cotton District, LLC.

APPLICANT/ AUTHORIZED REPRESENTATIVE: Richard Patton

MAILING ADDRESS: 108 S. 8th St. / Opelika, AL 36801

PHONE NUMBER: (334) 787-3288 **FAX NUMBER:** N/A

EMAIL ADDRESS: richpatton23@gmail.com

PARCEL INFORMATION

Project name: Depot Address/Location: 408 1st Avenue

Current Land Use: Vacant (Previously Residential) Current Zoning: C2

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

Description of Proposed Use: Multi-Family Residential

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: _____ Date: _____

**STATE OF ALABAMA,
COUNTY OF LEE**

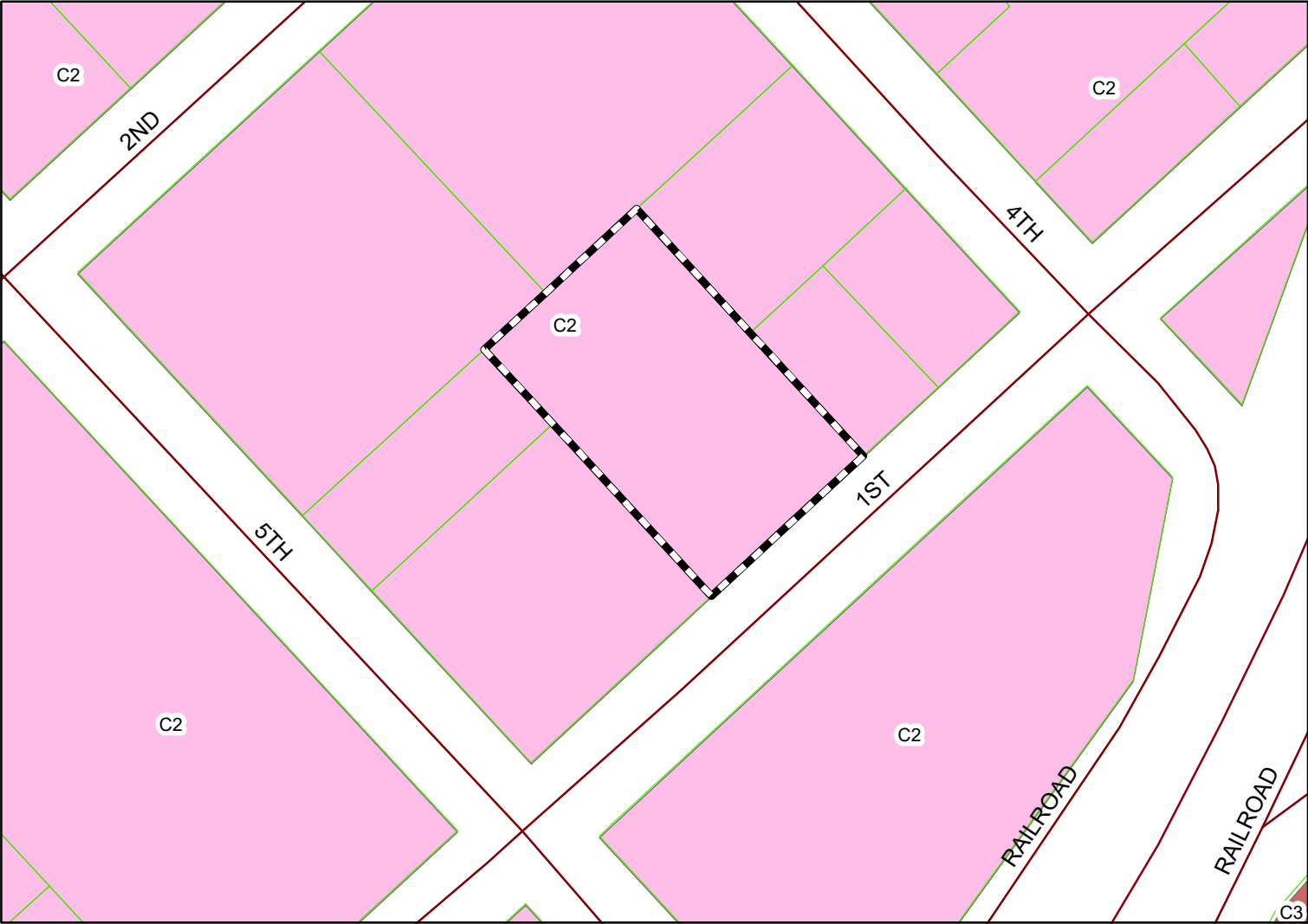
I, _____, a Notary Public in and for said County and State, hereby certify that _____, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears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

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

Notary Public

My Commission Expires: _____

DEPOT COMMERCIAL
408 1ST AVENUE
CONDITIONAL USE, F-7



The applicant is requesting approval for a commercial development called the Depot. The property is located in a C-2 zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: F-7

Action Requested: Conditional Use – Condominiums, detached single family homes, 6 units

Location of Property: 408 1st Avenue

Property Owner(s): Cotton District, LLC
Richard Patton, authorized representative

Current Land Use: Undeveloped

Current Zoning: C-2

**Surrounding Zoning Districts
And Land Uses:**

North	C-2, GC-S	Commercial (Burger King)
South	C-2	Stern Railroad Park
East	C-2	Residential
West	C-2, GC-S	Daycare

Proposal

The applicant is requesting conditional use approval for 6 single family home condominiums in a C-2 zoning district. The property is located on the north side of 1st Avenue between N. 4th Street and N. 5th Street. The subject property is approximately 25,000 square feet (0.57 acres). The C-2 zone allows up to 16 units per acre. The subject property is approximately 10.5 units per acre. The property is located in a transition area between commercial development on N. 5th Street and 2nd Avenue and the small residential area bordered by the railroad. Directly across the street is the newly created Railroad Park created by the Stern Foundation.

The proposed development is configured with two front carport/storage buildings and three buildings on each side facing a common green. Four of the buildings are shown as 2-bedroom units and two of the buildings are single-bedroom units. All of the units are two stories. This type of development goes by many names and is growing in popularity across the country. It can often be considered cluster development, cottage courtyard or bungalow courtyard. In planning terms this type of housing is designated as “Missing Middle” housing. This type of housing attempts to cluster development, often in in-fill locations, to both add nice and affordable units that fit in with the neighborhood.

Under the current standards, this development would be required to have 2 spaces per unit. This would require 12 off-street parking spaces. The development is providing six (6) parking spaces within the carport structures. This type of housing is often allowed with one space per unit as the units are typically only designed in areas close to services and for one-two people. Staff has looked at this and the surrounding neighborhood. There are often vehicles parked on the street throughout the neighborhood. Staff is recommending that the on-street parking be formalized to better allow on-street parking if additional parking is necessary. This would still require an approval of a variance by the Zoning Board of Adjustment. Staff plans to look at overall parking requirements to determine if we are requiring too many parking spaces through the Zoning Ordinance.

The landscape plan needs to be better formalized. The applicant does show some trees along near the street. Staff believes these should be located between the street and sidewalk if there are not utility conflicts. The other area of importance is the buffer between this development and the residential to the east. The applicant will likely want to buffer against some of the commercial units. Staff believes a buffer including landscaping and fencing should be required against the residential properties.

Overall, staff feels that this location is a good opportunity to look at many of the concepts proposed in this development. The location in a transition zone near downtown allows the use to provide multiple units that buffer the residential neighborhood. Additionally, the location of the park allows for some potential parking overflow should a residence have guests during non-peak park hours.

Recommendation

Staff recommends conditional use approval subject to the following conditions:

- 1. Approval of the parking variance by the ZBA.**
- 2. Construction and formalization of on street parking in coordination with City Engineer.**
- 3. Approval and installation of a buffer along the residential properties with both fencing and landscaping that will reach a height to provide privacy.**
- 4. Reconstruction of the current sidewalk.**
- 5. Materials should be consistent with the gateway corridor cladding requirements.**

Engineer's Report

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

Sidewalks on the north side of 1st Avenue shall be replaced with the construction of this project to meet the current ADA and City of Opelika Standards of 5-ft wide.

Additional parking will be required to meet spaces/unit requirements by the widening of the south side of 1st Avenue as detailed in the illustration below.

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

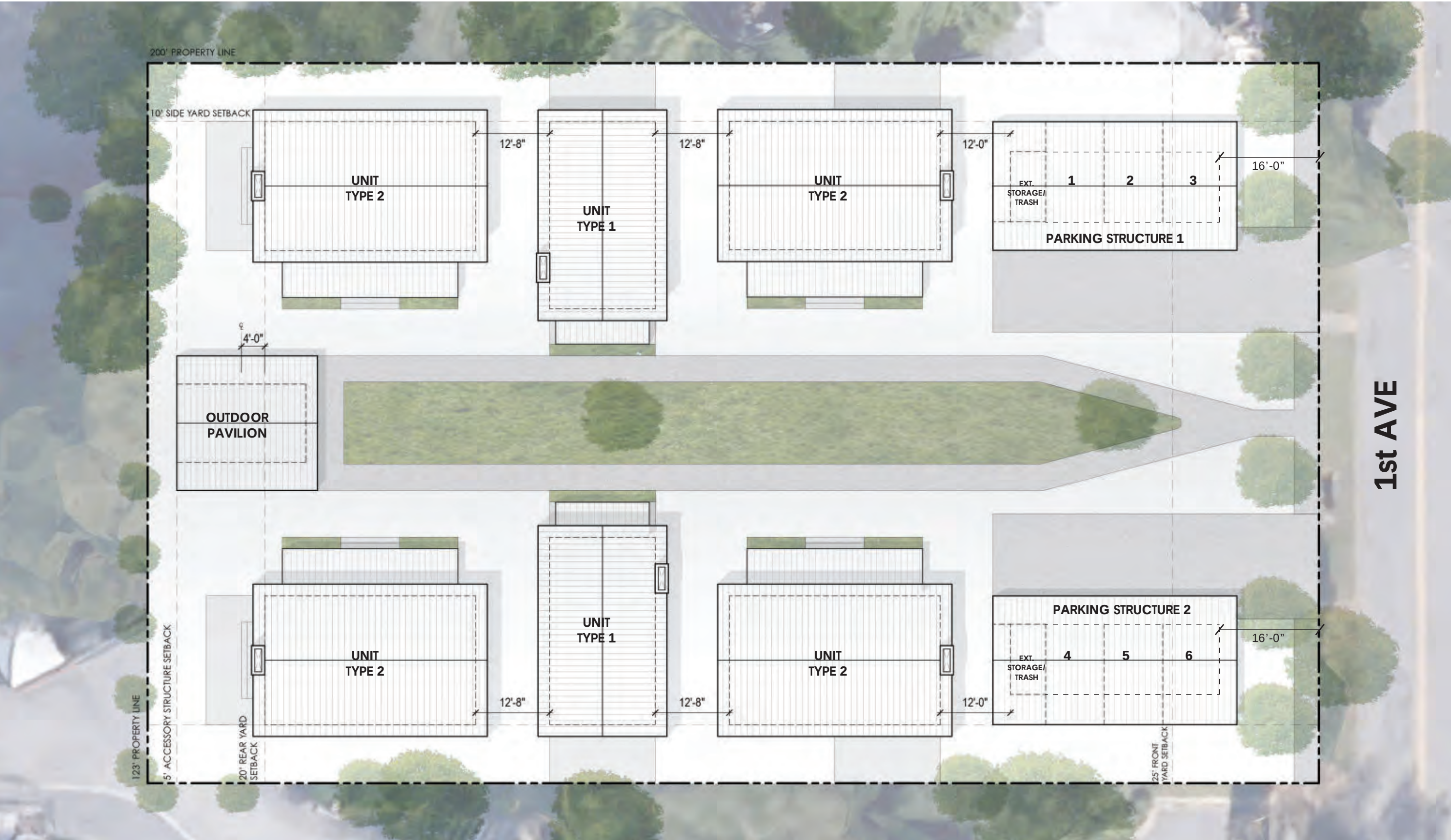


Opelika Utilities

Water service is accessible from First Avenue.

Opelika Power Services

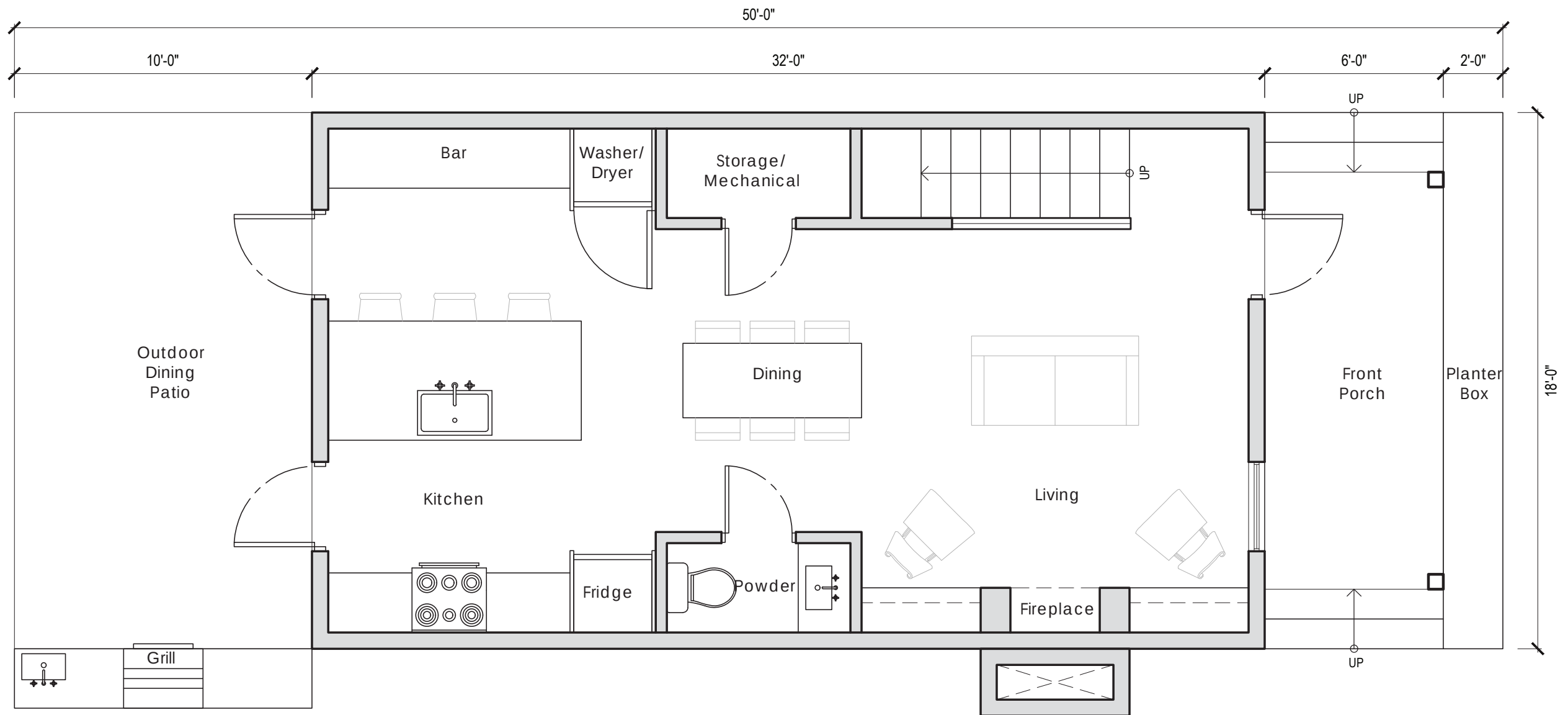
This subdivision is inside the Opelika Power Service territory.



1st AVE



0' 8' 16'
Scale : 1" = 16'



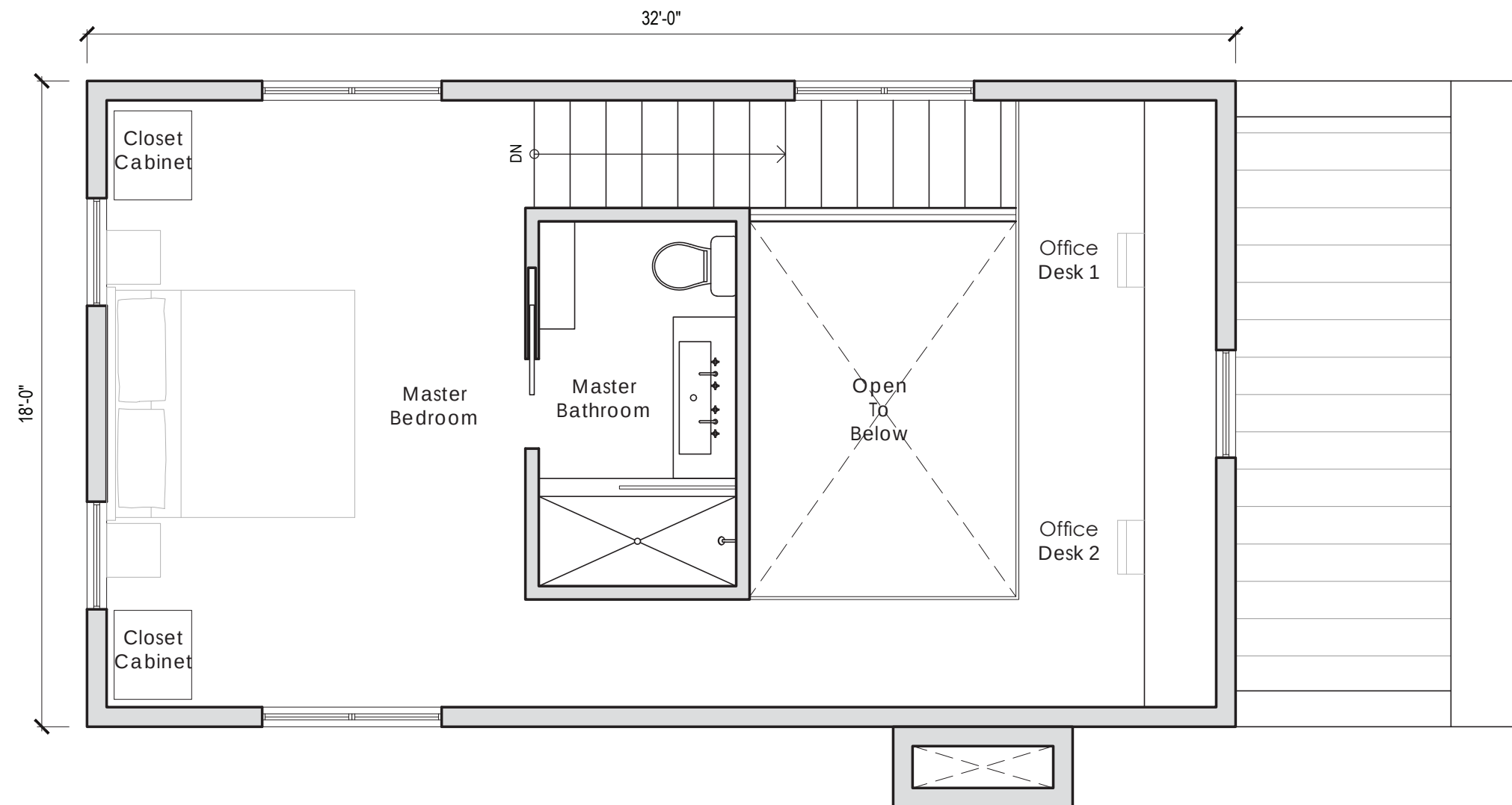
Unit 1 - Interior

1st Floor = 575 sq.ft.
2nd Floor = 335 sq.ft.
Total = 910 sq.ft.

Unit 1 - Exterior

Outdoor Dining Patio = 200 sq.ft.
Front Porch = 110 sq.ft.
Total = 310 sq.ft.

0' 2' 4'
Scale : 1/4" = 1'



Unit 1 - Interior

1st Floor = 575 sq.ft.
 2nd Floor = 335 sq.ft.
 Total = 910 sq.ft.

Unit 1 - Exterior

Outdoor Dining Patio = 200 sq.ft.
 Front Porch = 110 sq.ft.
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 Scale : 1/4" = 1'





0' 2' 4'
Scale : 1/4" = 1'

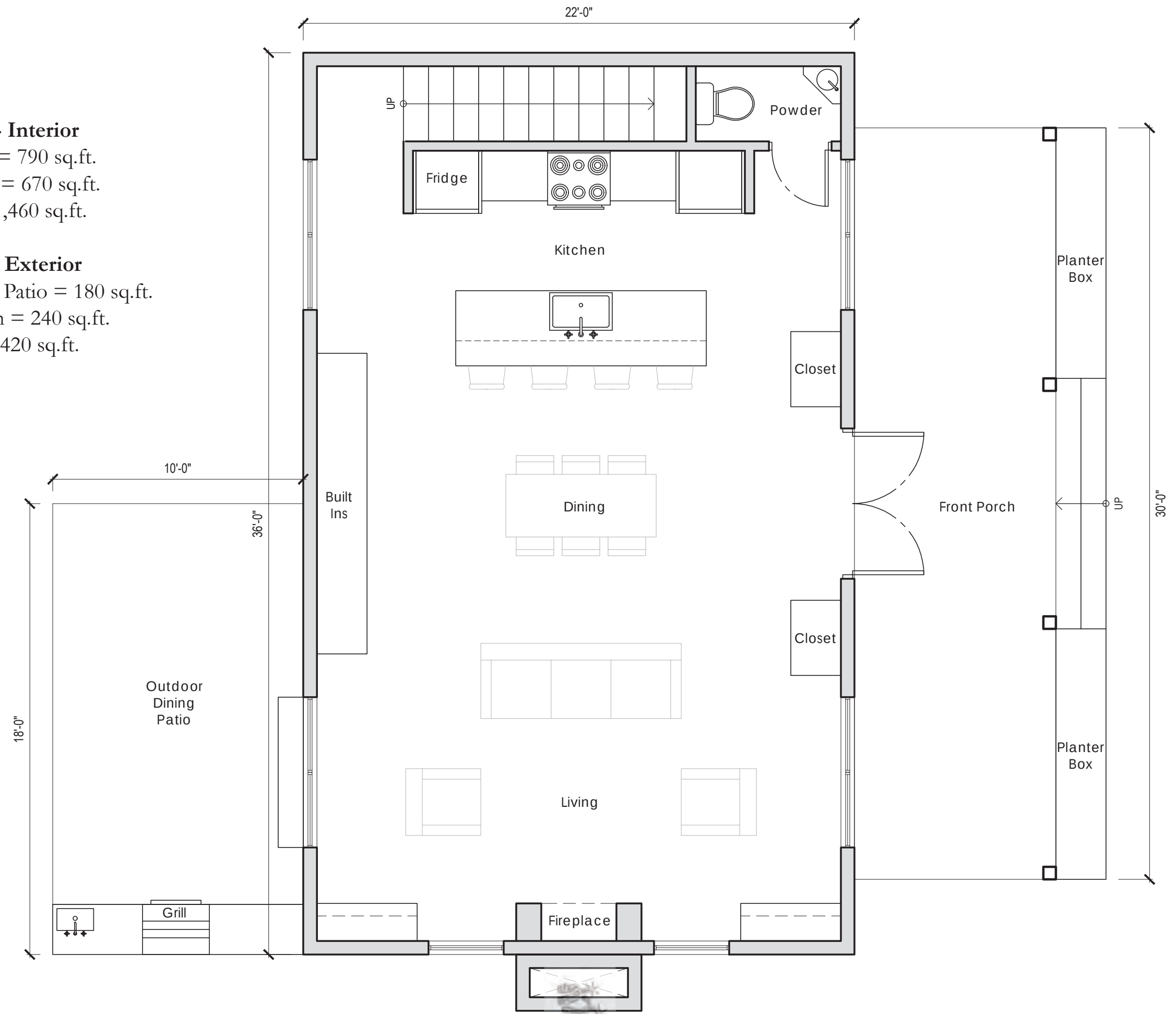


0' 2' 4'
Scale : 1/4" = 1'



Unit 2 - Interior
1st Floor = 790 sq.ft.
2nd Floor = 670 sq.ft.
Total = 1,460 sq.ft.

Unit 2 - Exterior
Outdoor Dining Patio = 180 sq.ft.
Front Porch = 240 sq.ft.
Total = 420 sq.ft.



0' 2' 4'
Scale : 1/4" = 1'

Unit 2 - Interior

1st Floor = 790 sq.ft.

2nd Floor = 670 sq.ft.

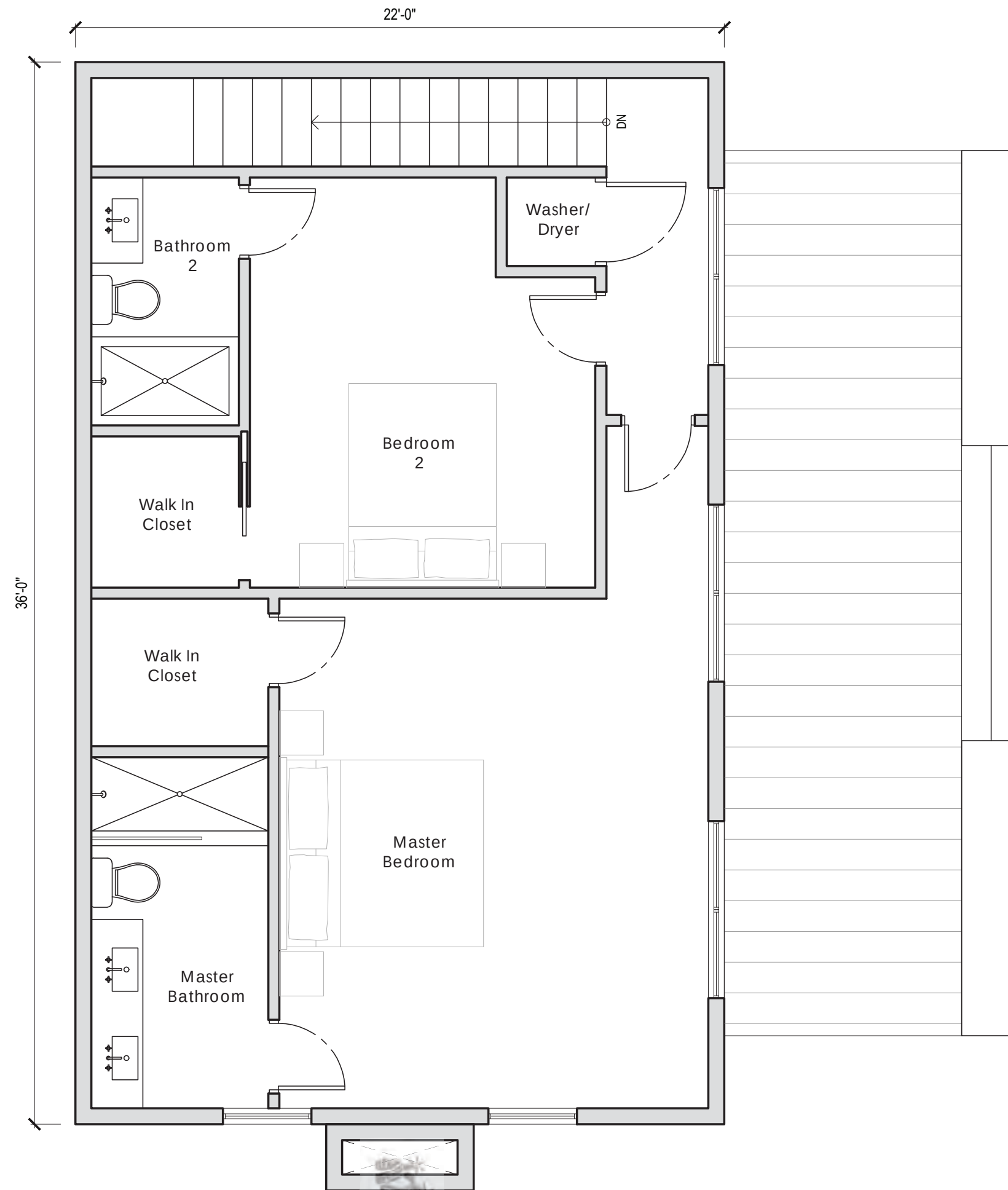
Total = 1,460 sq.ft.

Unit 2 - Exterior

Outdoor Dining Patio = 180 sq.ft.

Front Porch = 240 sq.ft.

Total = 420 sq.ft.



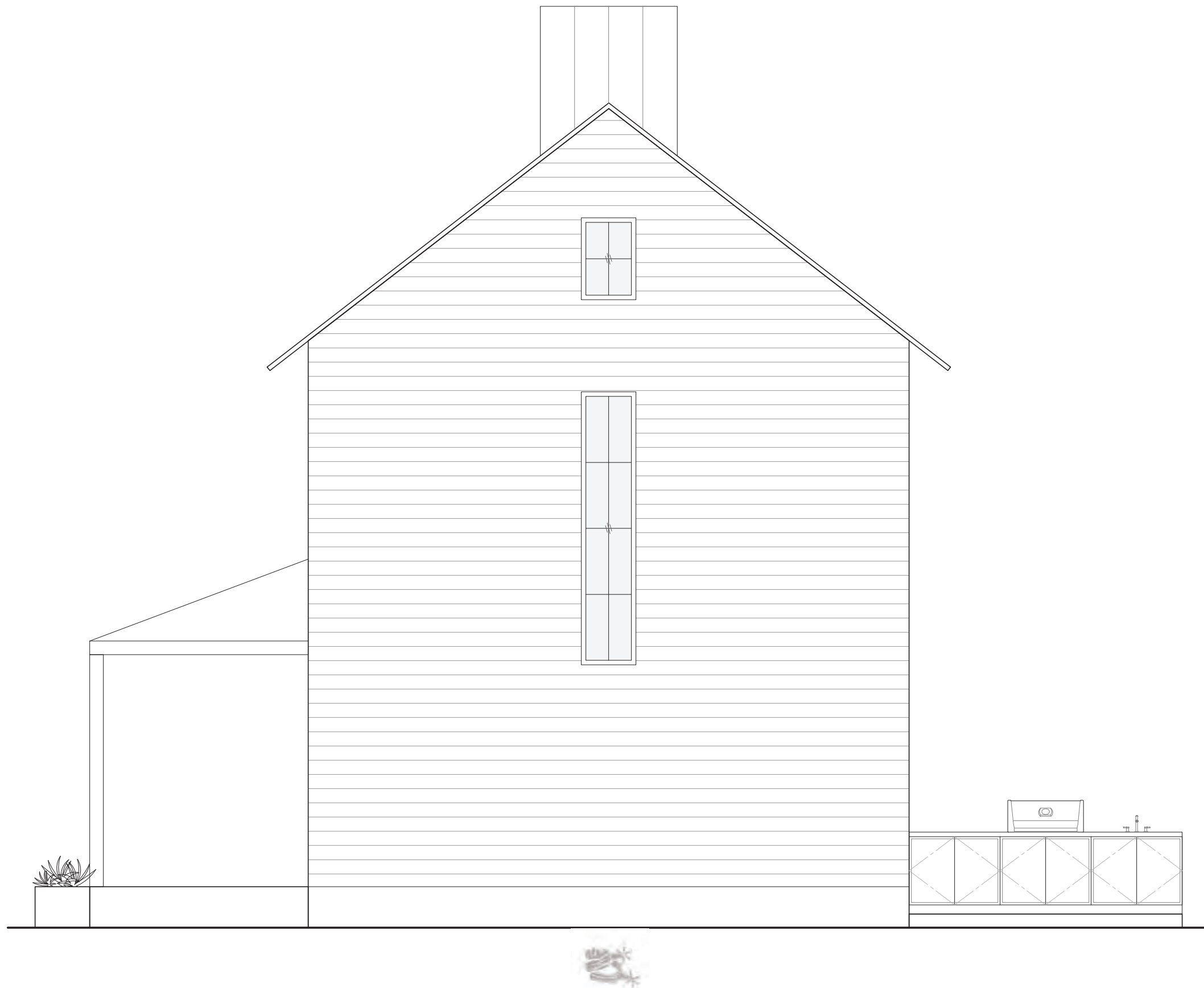
0' 2' 4'
Scale : 1/4" = 1'





0' 2' 4'
Scale : 1/4" = 1'





0' 2' 4'
Scale : 1/4" = 1'

2604



REZONING APPLICATION
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



PC DEADLINE: 11/22/21 PC MEETING: 11/23/21

PROPERTY OWNERS/
AUTHORIZED REPRESENTATIVE: WYNDHAM GATES LLC / DINO MCDOWELL
MAILING ADDRESS: P.O. Box 858 CARROLLTON, GA 30112
PHONE NUMBER: 770 328 6854 Email: dmac1477@aol.com

PARCEL INFORMATION

Site Address: Ø GATEWAY DRIVE OPELIKA, AL 36804
Description of proposed use: CONSTRUCT 17-2,000 SQFT Townhomes on 3.10 ACRES OF VACANT LAND
Tax Parcel Number: 43-10-04-19-4-000-170.000
Adjacent Zoning Districts: North: PUD South: PUD East: I-1 West: PUD

Current Land Use: VACANT

Current Zoning: PUD

Proposed Zoning: PUD with Amendment

Number of APO: 10 x \$7.00 = \$ 70
(Adjacent Property Owners)

Fee: \$125.00

TOTAL = 195.00

PAID: C/K# 3318

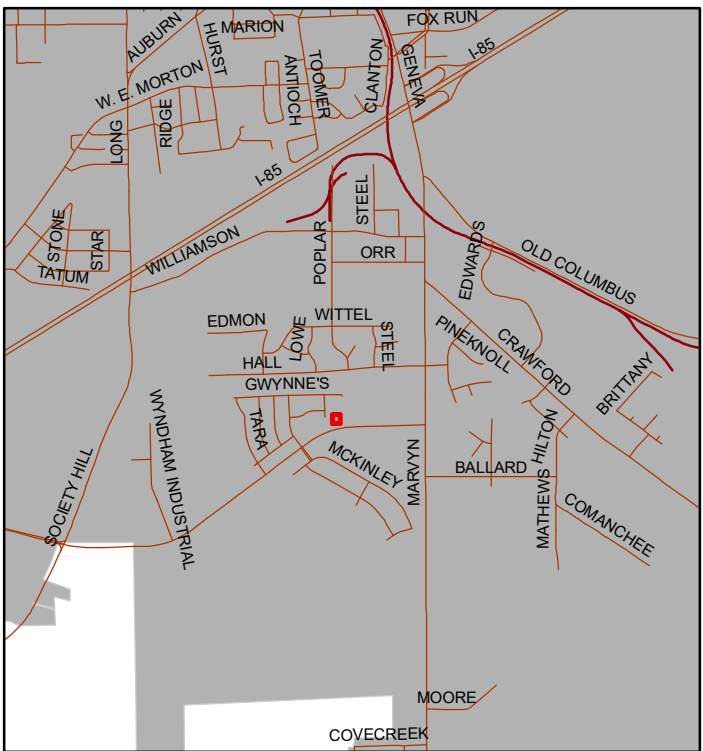
I hereby request my property located at (street address) Ø GATEWAY DRIVE OPELIKA AL 36804
Tax Map parcel number 43-10-04-19-4-000-170.000 be rezoned from
PUD to PUD w/ Amend. A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED REPRESENTATIVE SIGNATURE: <u>[Signature]</u>	DATE <u>11-2-2021</u>
(PRINT NAME) <u>Dennis McDowell</u>	

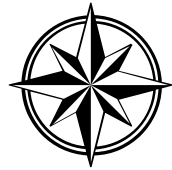
MASTER PLAN REVISIONS - WYNDHAM GATES PUD

GATEWAY DRIVE

MASTER PLAN AMENDMENTS, G-8



The applicant is requesting amendments to the Wyndham PUD master plan from single family homes shown on the 2005 master plan to 17 townhomes. The townhomes are accessed from Gateway Drive.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: G-8

Action Requested: Amendments to Wyndham PUD Master Plan

Location of Property: Gateway Drive

Property Owner(s): Wyndham Gates, LLC
Dino McDowell, representative

Current Land Use: Undeveloped

Current Zoning: PUD (Planned Unit Development)

Staff Comments

The applicant is proposing a major amendment to the 2005 master plan for the Wyndham Planned Unit Development (PUD). The subject property is 3 acres undeveloped located on north side of Gateway Drive accessed from Gateway Drive. The master plan revisions are from single family home to townhomes. The adjacent properties to the 3 acre property on the north and west sides are single family homes; on the east side is Southview Primary School property (the school's rear wall faces the three acres). In December 2019, revisions to the Wyndham master plan were approved including a 10 acre area approved for apartments. The applicant's three acre property is across Gateway Drive from the 10 acre apartment property.

The original 2005 master plan shows single family homes for the 3 acre property. The plan shows Gwynne's Way running along the north property line until Gwynne's Way turns south and intersects with Gateway Drive (see plan on last page of report). However, the construction of Gwynne's Way ended as a cul-de-sac along the north property line; the extension of Gwynne's Way to the south intersecting with Gateway drive was not constructed. About 8 single family homes could be constructed on the 3 acre property if Gwynne's Way intersected Gateway Drive. The applicant said about 10 years ago when the construction of single family homes was consistent in Wyndham Gates on the north side of Gateway Drive, there were plans to construct a bank on the 3 acre property not single family homes. A request for master plan revision from single family homes to commercial for the bank was not provided.

The original 2005 Wyndham Gates master plan on north side of Gateway Drive was approved for 25' wide townhomes at the corner of Lori Lane and Gwynne Way near Gateway Drive. Also, cluster homes

(triplex townhomes) were approved about 400 feet from the townhomes. About 55 townhome units and 6 cluster homes were approved. The townhome units and cluster homes had access to residential streets not direct access to Gateway Drive. However, the housing market favored single family homes, and the 55 townhomes and 6 cluster homes were not constructed; instead of townhomes 24 single family homes were constructed. The remaining 280 dwellings (estimate) on the north side of Gateway Drive are single family homes.

The request for 17 townhomes (site plan in packet) increases the density (dwellings per acre), but the density does not exceed the 3 dwelling units per acre for the entire Wyndham development as approved in the original 2005 master plan. The townhomes do not meet the standard parking requirements of two spaces per unit; only 32 spaces are shown, 34 spaces required. Many of the units have about 400 sf of yard space which would only be 40% of the standard yard for townhomes.

Comments/Recommendations

Single family homes constructed on the 3 acre property would be more compatible with the adjacent single family homes than the townhomes; about 8 single family homes would be constructed instead of 17 townhomes. Access to townhomes is from a private driveway that intersects Gateway Drive. The 2005 master plan did provide for 55 townhomes and 6 cluster town homes (2 triplexes), but single family homes were constructed instead of townhomes. The entire north side of Gateway Drive developed into a single family home neighborhood (280 homes total). Staff prefers single family home construction on the 3 acre parcel to match the adjacent single family homes and the other 280 homes.

If the master plan amendments are approved staff recommends approval with the following conditions; also listed are requirement as provided in the Zoning Ordinance for a townhome development:

1. Townhome Development Standards and Landscaping Regulations must be followed; residential buffers are required between the adjacent properties and the 3 acre townhome development as provided in the Zoning Ordinance.
2. Staff recommends the buffer installed along Gateway Drive as provided on site plan.
3. The exterior material of townhomes must follow the requirements set forth in Section 7.6, 6b. Materials and Cladding Requirements
4. All utilities must be underground.

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 Master Plan Revision.

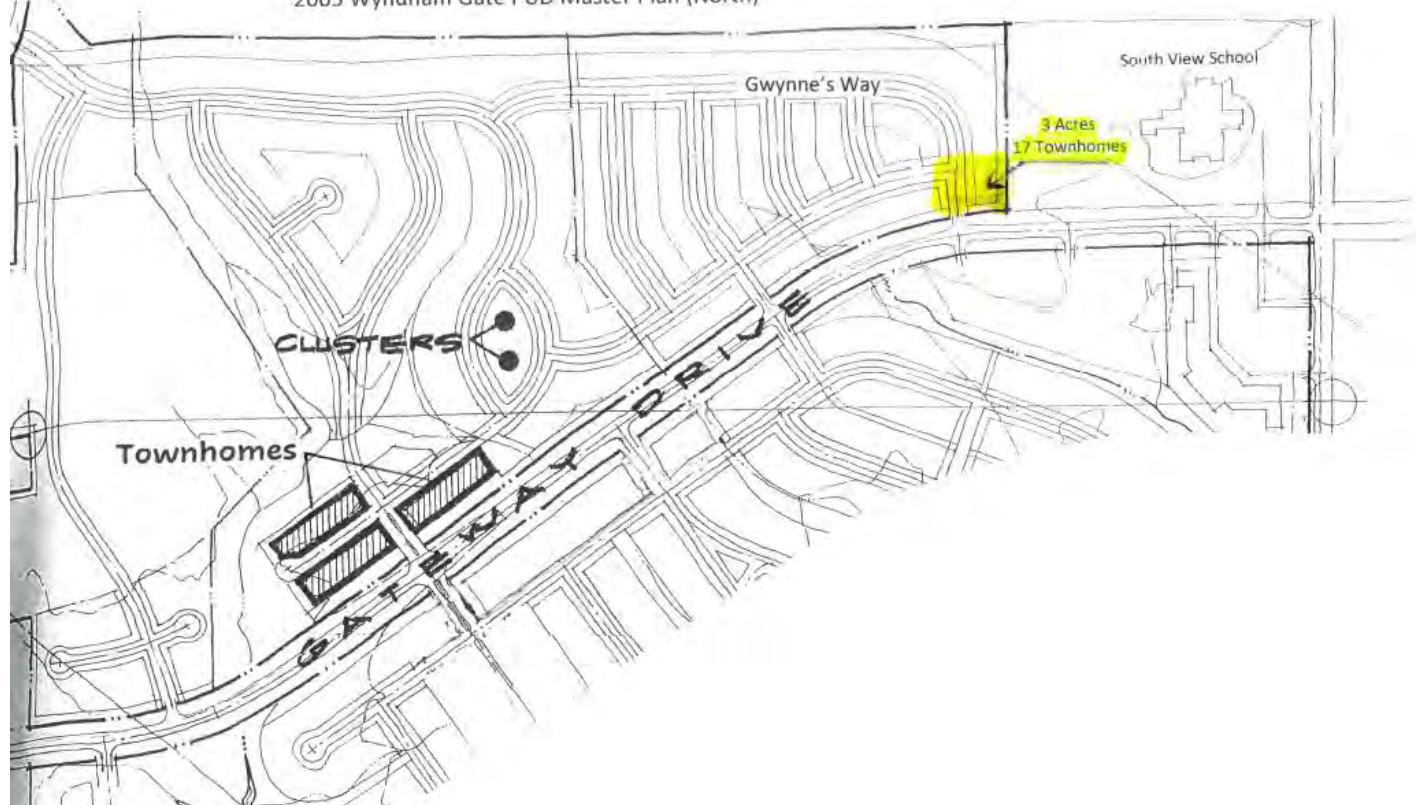
Opelika Utilities Board Report

This will be served by master meter.

Opelika Power Services Report

This subdivision is outside the Opelika Power Service territory.

2005 Wyndham Gate PUD Master Plan (North)





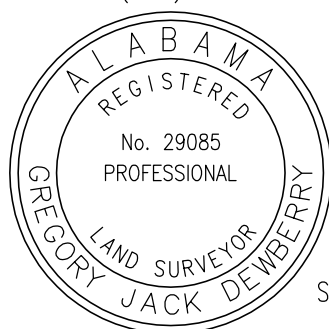
PLAT ABBREVIATIONS

IPF - Iron Pin Found
IPS - Iron Pin Set
FPS - Fence Post Set
OTP - Open Top Pipe
CTP - Crimp Top Pipe
CMF - Concrete Marker Found
P/L - Property Line
R/W - Right of Way
C/L - Centerline
N/F - Now or Formerly
DB - Deed Book
PB - Plat Book
P.O.C. - Point of Commencement
P.O.B. - Point of Beginning

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°19'29"E	20.67'
L2	N87°59'58"E	60.14'
L3	N89°47'51"E	36.74'

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	359.94'	1524.35'	S81°34'13"W	359.10'

Surveyor: Gregory J. Dewberry
R.L.S. #29085
P.O. Box 156
Bremen, GA 30110
Phone (770) 537-4087

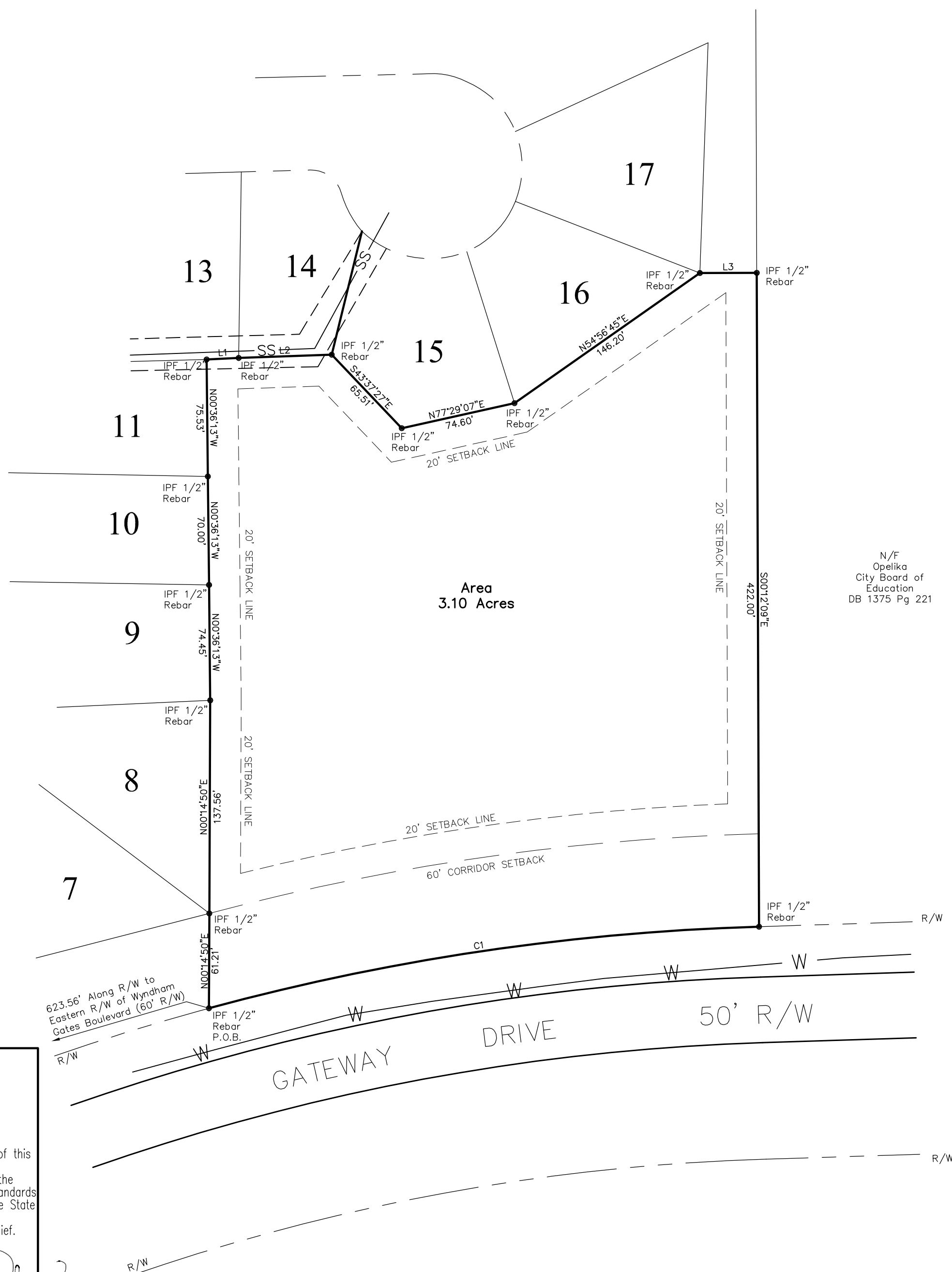


I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Signature

Date 10-15-2021

WYNHAM GATES SUBDIVISION - PHASE ONE



SURVEY CLOSURE STATEMENT

The Field Data upon which this plat is based has a closure precision of one foot in 76,321 feet, and an angular error of 3.9" per angle point, and was adjusted using COMPASS rule.

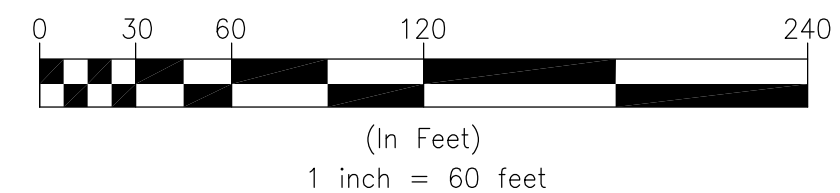
This plat has been calculated for closure and is found to be accurate within one foot in 515,909 feet.

Linear Measurement obtained using Leica TCR 403
Angular Measurement obtained using Leica TCR 403
Field Work completed 10/01/2021

NOTES

1. This property does not lie in a FEMA designated flood hazard area.
2. Tax Parcel : 43-10=04-19-04-000-170.000
3. Current Zoning : PUD
4. Current Setbacks :
60' Corridor Setback
20' Front
20' Rear
10' Side

GRAPHIC SCALE



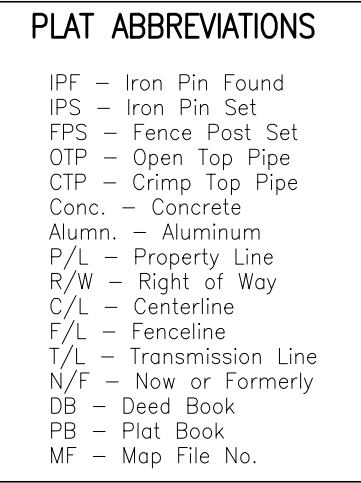
CIVIL SOLUTIONS ENGINEERING AND LAND SURVEYING

BOUNDARY SURVEY FOR

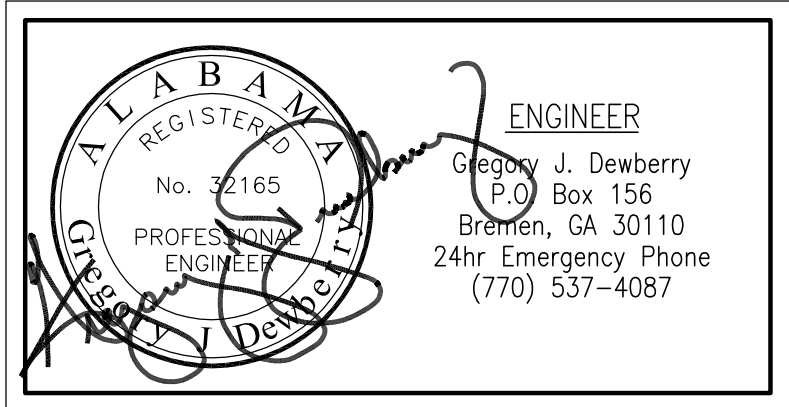
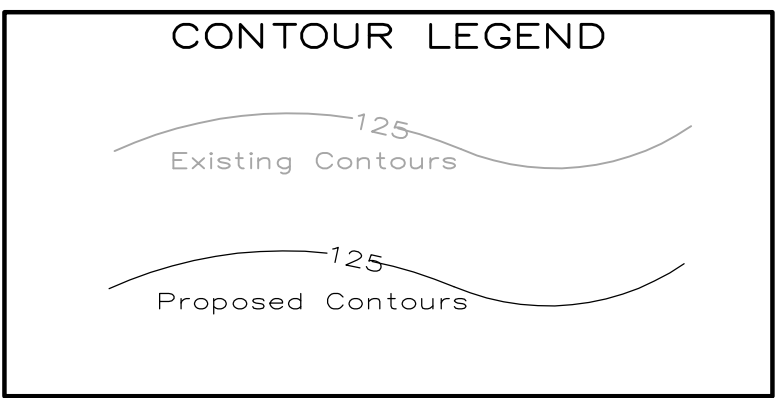
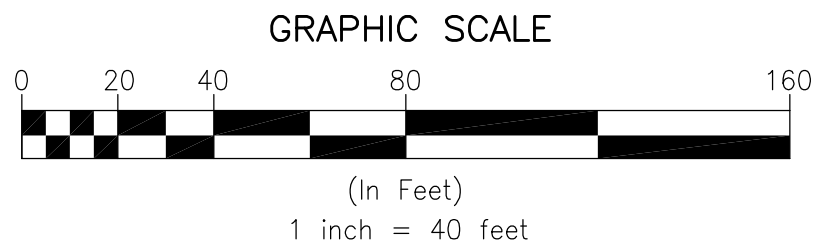
WYNHAM GATES TOWNHOMES

Being a Portion of
Section 19, Township 19N, Range 27E
City of Opelika
Lee County, Alabama

DATE	SCALE	SHEET	JOB NO
10/15/2021	1" = 60'	1 OF 1	2021230



N/F
Opelika
City Board
of
Education
DB 1375 Pg 221



CIVIL SOLUTIONS ENGINEERING & LAND SURVEYING		WYNDHAM GATES TOWNHOMES		REVISIONS		SHEET	
Gregory J. Dewberry, PE, LS P.O. Box 156 Bremen, Georgia 30110 (770) 537-4087		CONCEPTUAL PLAN SECTION 19, TOWNSHIP 19 NORTH, RANGE 27 EAST CITY OF OPELIKA, LEE COUNTY, ALABAMA		NO.	DATE	DESCRIPTION	05
DATE: OCTOBER 5, 2021		SCALE: 1" = 40'		PROJECT NO. 2021230		05	



Timothy W. Simpson, P.E., P.L.S.
President
M. Blake Rice, P.E.
Vice President

Christopher M. Rogers, P.E.
Chief Financial Officer
Eddie A. Eubanks, P.L.S.
Secretary
Jonathan A. Ham, P.L.S.
Future Operations Manager

November 3, 2021

Mr. Matt Mosley
Planning Director
City of Opelika
700 Fox Trail
Opelika, AL 36801

Re: **Phoenix at Opelika**

Dear Matt,

Please take this letter as our formal request for a 10' waiver to the front yard setback for the above referenced project. We request this item be placed on the November, 2021 Planning Commission agenda. The requested waiver would allow the developer to utilize a 30' front yard setback against U.S. Highway 280 instead of the required 40' setback.

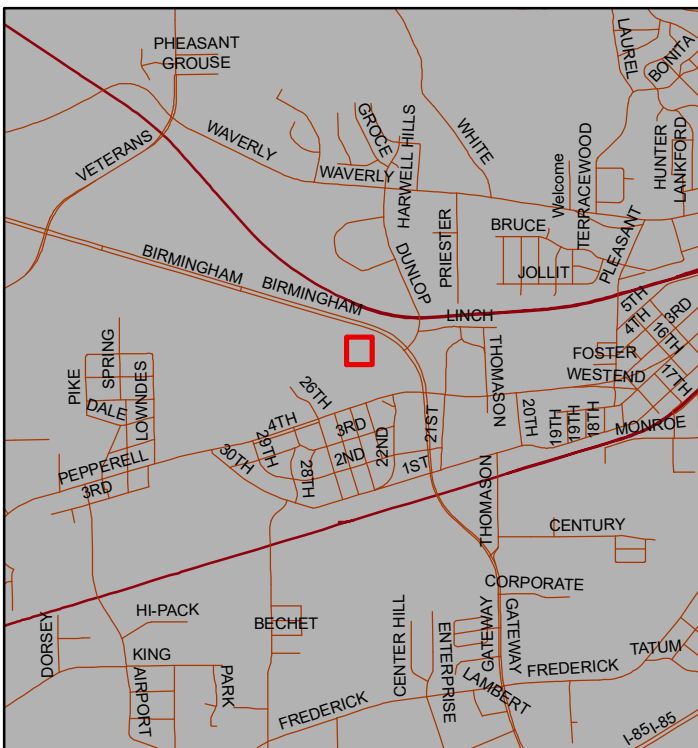
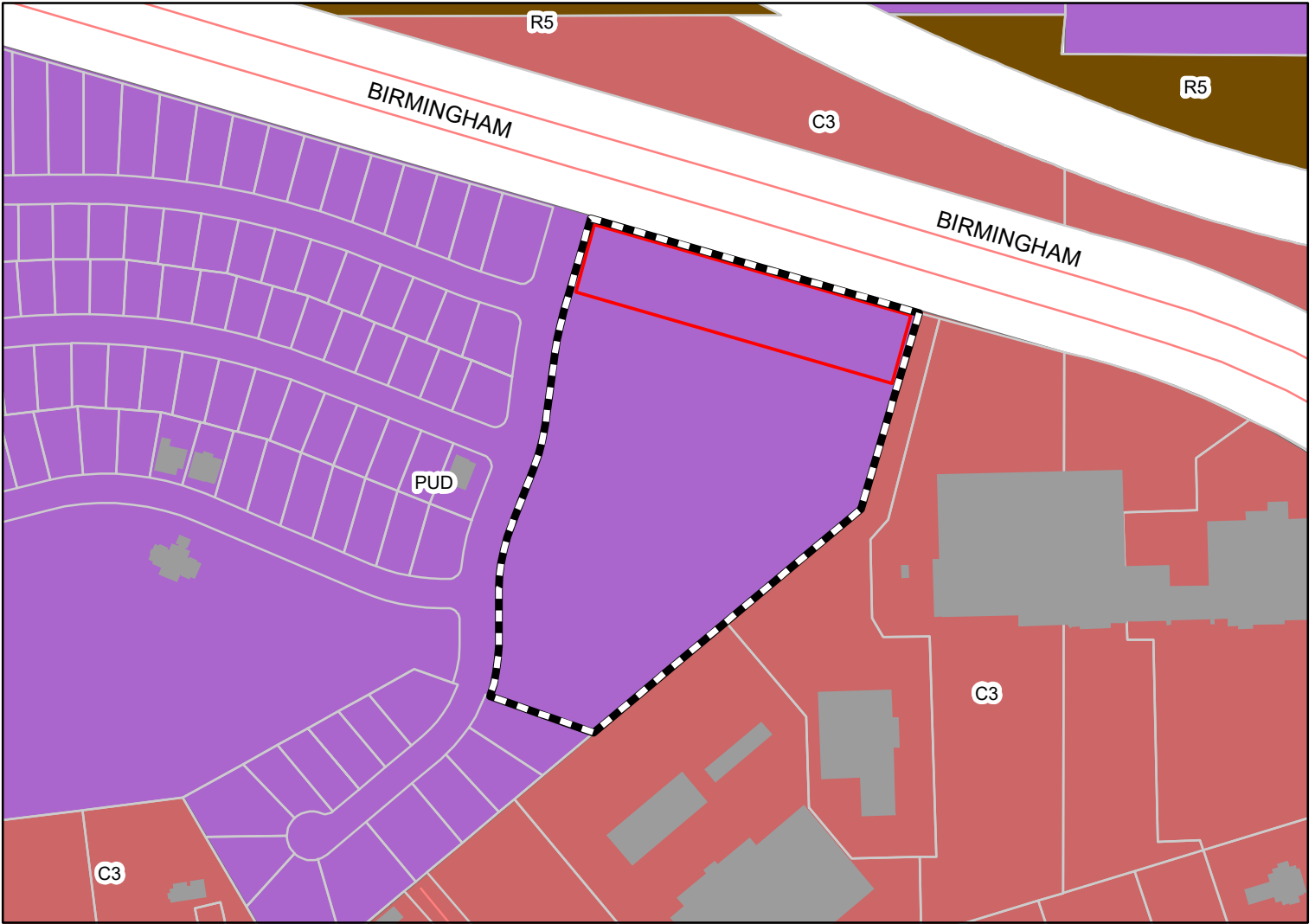
This Senior Living project is part of the Springs of Mill Lakes Planned Unit Development. Per the accompanying site plan, 16 proposed Independent Living Cottages will back up to US Hwy 280 and will have rear porches extending into the back yards. It was originally proposed that these be uncovered patios but the developer would like the ability to convert these patios to covered porches. The extension of the roof system to provide covered porches will require this setback waiver. US Hwy 280 has a wide right-of-way and these Cottages will be buffered from the roadway by both topography and vegetation.

Please call me at 334.745.7026 if you would like to discuss our request further. Thank you for your consideration and I look forward to the Planning Commission meeting.

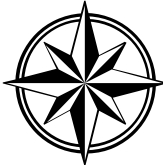
Sincerely,
Barrett-Simpson, Inc.

M. Blake Rice, P.E.
Vice-President

MASTER PLAN AMENDMENTS, G-9



The applicant is requesting amendments to the Springs at Mill Lakes master plan to decrease the 40 foot front building setback along Birmingham Highway to 30 feet. A covered patio is proposed along each of the 16 cottage lots facing the highway and a 30 foot minimum setback is required. Access to the 16 lots is from a private street.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: G-9

Action Requested: Amendments to Springs at Mill Lakes PUD Master Plan

Location of Property: 1270 Willow View Drive

Property Owner(s): SILGEN, LLC
Blake Rice, representative

Current Land Use: Undeveloped (future Phoenix Senior Living facility)

Current Zoning: PUD (Planned Unit Development)

Staff Comments:

The applicant is proposing a minor amendment to the Springs at Mill Lakes PUD master plan for the senior living portion of the PUD. The 13 acre senior living facility consists of independent living and assisted living dwelling units. A total of 160 independent senior units are planned as rentals; 16 of the cottage units front on a private street and the rear yards face Birmingham Highway (Hwy 280). It was determined that a covered patio will be constructed on the rear wall of the 16 units, but the patio roof will encroach into the minimum 40 foot setback approved along Birmingham Highway. The applicant is requesting a 10 foot reduction from the 40 foot minimum setback requirement to allow a 30 foot minimum setback for the 16 cottage rental units that face Birmingham Highway. The right-of-way width of Birmingham Highway from the asphalt edge to the rear property line is at least 60 feet; the covered patio will be setback about 30 feet from the rear property line; the total distance from the covered patio to motorists on Birmingham Highway is about 90 feet; the 90 feet provides adequate distance to buffer the Cottages from the highway.

Recommendations

Staff recommends that a 10 foot reduction be granted from the 40 foot minimum setback to 30 feet to allow the construction of covered patios for 16 cottage units that face Birmingham Highway.

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 Master Plan Revision.

Opelika Utilities Board Report

No comment.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

Drawing Name: P:\1- 651 Projects\2019\19-0158 Phoenix Senior Living\DWG-C3.0 - 08-2021 - new layout-plans\19-0158 Phoenix Senior Living - CONSTRUCTION PLANS-11-010-2021.dwg Last Modified: Nov 01, 2021 - 7:45pm by Bobby Dean

PROJECT DATA:

TOTAL PROPERTY AREA: 560,043± SF
OR 12.86± AC

DEVELOPED AREA: 522,445± SF
OR 11.99± AC

IMPERVIOUS SURFACE AREA: 281,792± SF
MAXIMUM ISR = 0.70
PROPOSED ISR = 0.50±

BUILDING SQUARE FOOTAGE: 129,668± SF
MAXIMUM FAR = N/A
PROPOSED FAR = 0.23±

PROPOSED USE:
SENIOR LIVING COMMUNITY

105 PARKING SPACES
(INCLUDING 10 H/C SPACES)

PROPERTY ZONED: PUD-CG

APPROVED SETBACKS:
FRONT (HWY 280) - 40 FT
REAR - 20 FT
LEFT SIDE (WILLOW VIEW DR) - 30 FT
RIGHT SIDE - 20 FT

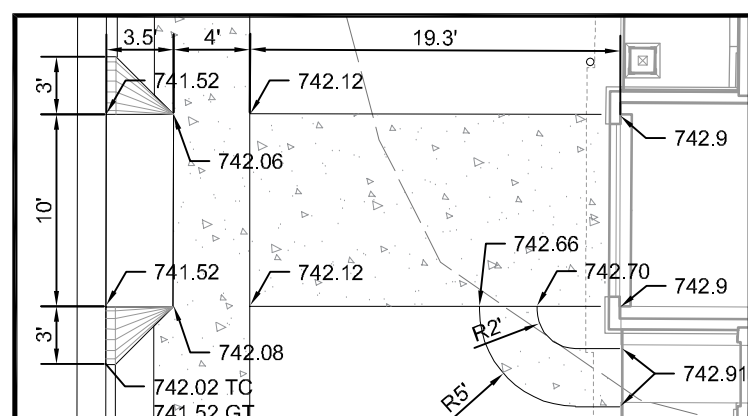
GENERAL NOTES:

OPELIKA ENGINEERING DEPARTMENT SHALL BE NOTIFIED 72 HOURS PRIOR TO BEGINNING WORK AND 24 HOURS PRIOR TO RESUMING WORK.
(OED-334.705.5450)

ALL CONSTRUCTION MATERIALS SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS OF OPELIKA ENGINEERING DEPARTMENT. IF NOT OTHERWISE SPECIFIED, ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ALDOT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (CURRENT EDITION) AND THE ALDOT SPECIAL AND STANDARD HIGHWAY DRAWINGS (CURRENT EDITION).

PRIOR TO BEGINNING CONSTRUCTION, IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE ALL UTILITIES LOCATED. ANY UTILITY LINES DAMAGED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. (ALABAMA LINE LOCATION CENTER 1-800-292-8525)

ALL NECESSARY TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.



CHP CHP CHP CHP CHP CHP CHP CHP

PROJECT DATA:

TOTAL PROPERTY AREA: 560,043± SF
OR 12.86± AC

DEVELOPED AREA: 522,445± SF
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105 PARKING SPACES
(INCLUDING 10 H/C SPACES)

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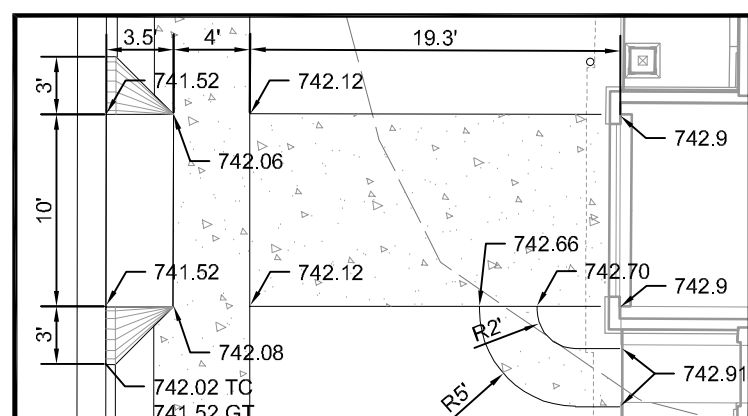
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(OED-334.705.5450)

ALL CONSTRUCTION MATERIALS SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS OF OPELIKA ENGINEERING DEPARTMENT. IF NOT OTHERWISE SPECIFIED, ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ALDOT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (CURRENT EDITION) AND THE ALDOT SPECIAL AND STANDARD HIGHWAY DRAWINGS (CURRENT EDITION).

PRIOR TO BEGINNING CONSTRUCTION, IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE ALL UTILITIES LOCATED. ANY UTILITY LINES DAMAGED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. (ALABAMA LINE LOCATION CENTER 1-800-292-8525)

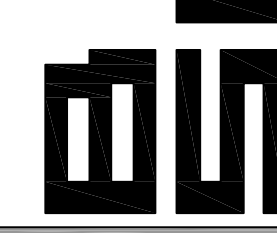
ALL NECESSARY TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.



CHP CHP CHP CHP CHP CHP CHP CHP

BARRETT-SIMPSON, INC.
Civil Engineers & Land Surveyors

706 12th ST. PHENIX CITY, AL 36888 (PH: 334-297-2423)
223 S. 8th ST. OPELIKA, AL 36801 (PH: 334-742-7026)
121 W. BROAD ST. EUFALUA, AL 36072 (PH: 334-687-4257)



The Phoenix at Opelika

SITE PLANS

- 1 08-27-2021 Schematic Design Package
- 2 10-04-2021 D/D Progress Set
- 3 10-22-2021 Design Development Package

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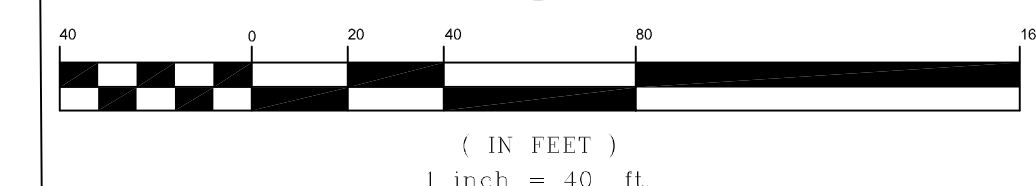
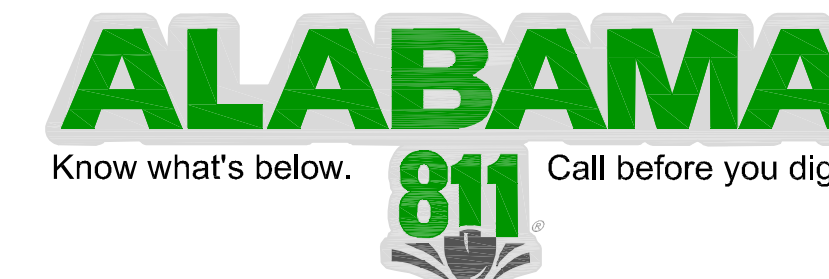
PROPOSED
SITE PLAN

DRAWN BY: L. MOTLEY 05 DEC 2019
DESIGNED BY: B. DEAN 01 DEC 2019
REVIEWED BY: C. ROGERS 13 DEC 2019
APPROVED BY: C. ROGERS 20 DEC 2019

5 FEBRUARY 2020
PROJECT NUMBER: 19-0158-A

SHEET NUMBER

C3.0





Phoenix Senior Living

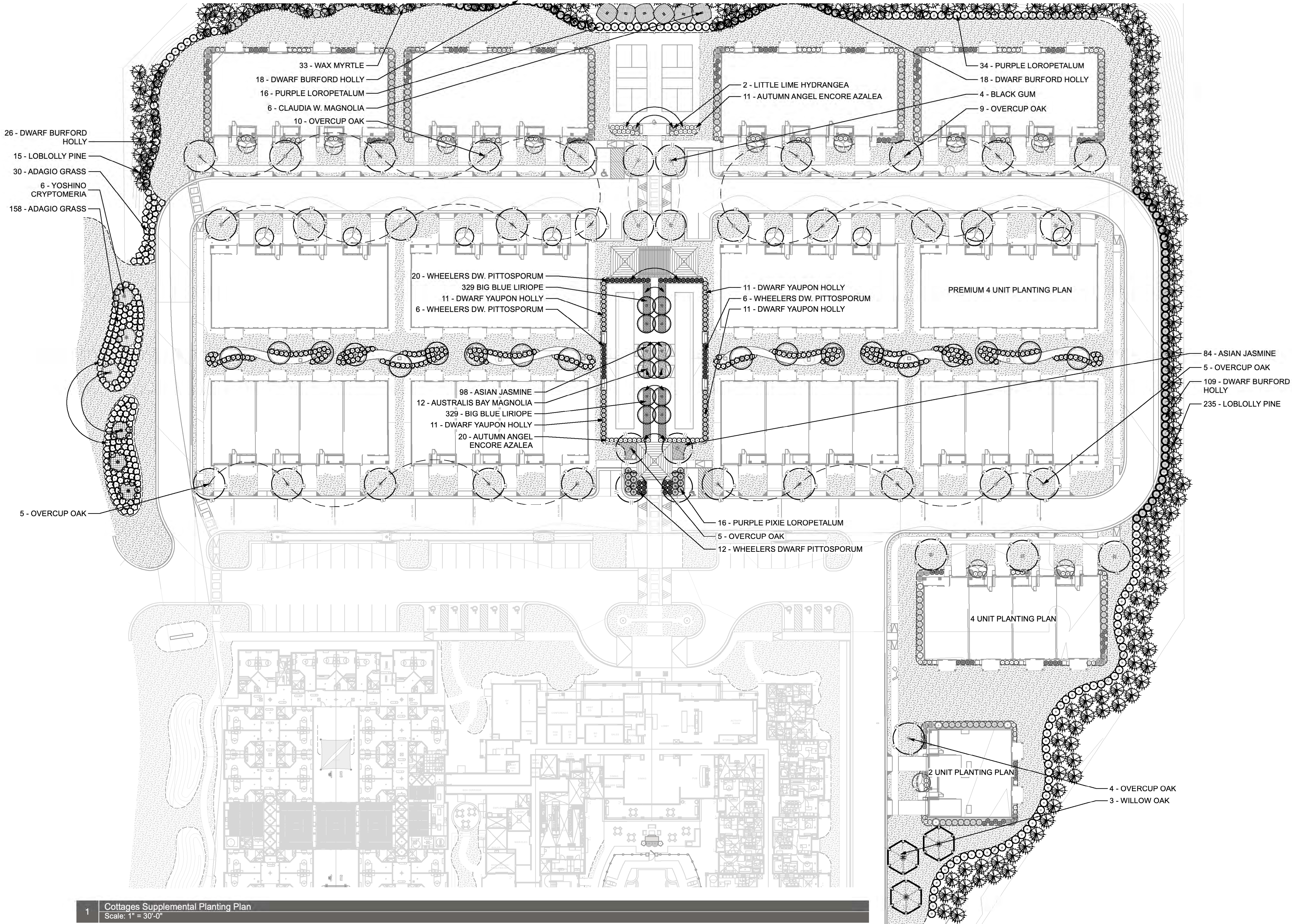
The Phoenix at Mill Lakes Cottages

REVISIONS

DATE: 11/01/21
SCALE: Scale
PROJECT MANAGER: DRP
DRAWN: JRI
REVIEWED: DRP
PROJECT NO:

SHEET TITLE :
Cottages Supplemental
Planting

SHEET NUMBER:
L-4.1
SEQUENCE: 20 of 31



City of Opelika

Planning Commission

Planning Department Report

Meeting Date:	November 23, 2021		
Agenda Item #:	H-10		
Action Requested:	Amendment of previously approved PUD and Master Plan • Modification of Open Space • Change in Unit Type		
Location of Property:	3001 Hi-Pack Drive		
Property Owner:	SP Opelika Ventures, LLC. Brian Lee, Authorized representative		
Current Zoning:	PUD (Planned Unit Development)		
Existing Land Use:	Undeveloped		
Surrounding Zoning Districts And Land Uses:	North	M-1 & C-3	Hi-Pack and vacant
	South	R-5	Single-family
	East	R-4	Single-family and vacant
	West	R-5	Airview Baptist Church

The applicant is requesting to amend the PUD and master plan for the Villages of Opelika. The subject property is approximately 21.9 acres and located at the current terminus of Hi-Pack Drive.

Approved PUD: The original PUD was recommended by the Planning Commission to City Council on June 23, 2020 and approved by City Council on September 1, 2020.

The previous master plan included 148 residential units. This includes 94 single family homes, 34 twin homes/ townhomes, and 20 small bungalows. Overall, the development would have a density of 6.75 units per acre. The applicant has stated that this development would be intended to try to mimic the Pepperell Mill Village with smaller homes and smaller lots.

That development has an amenity space located across from Hammonds Drive. The provided rendering shows this area having a pool and tower. It also included large section on the eastern and northern properties that have large easements that could potentially be

used for open space. There is also a common area behind the homes in one of the interior blocks. Overall, it showed approximately 260,000 square feet of area that was listed as open space or undeveloped including detention ponds.



The development proposed a mixture of small housing types including single-family homes, twin-homes and bungalows. The units were scattered throughout the development on very small lots well below other lots in the area. The applicant proposed a very inviting architectural style that provided variety and distinct types. The units did not have garages. Each unit also provided a front door and first floor windows that addressed the street and the units all had porches similar to many similar types of housing historically found in Opelika. The units and development were designed to create community and neighborhood interaction.

Housing type/style shown in approved PUD







Proposed PUD: The proposed master plan and PUD contain 90 single-family lots and 35 townhouse lots totaling 125 total units. The small bungalows have been removed completely. With the reduction of 22 units, the new development would have a density of 5.75 units per acre. The townhouse type has moved from a two unit set to four plus unit groups much more like traditional townhomes. This design generally increases the lot size of each unit, usually by reducing the amount shared open space in many areas. Thus giving more private yard space of commonly shared spaces. Another significant change to the PUD is the style of housing being proposed. As previously mentioned, the approved PUD showed homes with very classic features include strong architectural elements that addressed the street and community. The proposed homes appear to be very similar two story boxes. Whereas the dominant feature on the previously shown homes was a front porch, the proposed units are dominated by garages. This makes the home look like its designed more for a vehicle instead of a person. The applicant has submitted additional information and renderings of the proposed units.





The proposed PUD contains approximately 289,971 square feet (6.6 acres) of open or undeveloped space. However, the space has been reshaped to a degree. As previously mentioned much of the useable open space has been moved into private yards. Amenity B was shown in the original concept as a large amenity space with a pool and tower. This space is approximately 23,160 square feet and now shows a large playground and pavilion. The area shown behind Lots 70-80 and 81-91 was shown as a shared common area. This space has now been absorbed into the private backyards. The new plan still shows the large open space along Hi Pack Drive and on the east side of the property. These areas are slightly larger than previously shown. Both areas contain significant utilities, but are now show as containing a dog run under the large power line space and nature walk on the far eastern area. These areas are largely unbuildable no matter what development occurs on this property.

The street configuration has been somewhat simplified but is still largely consistent with the proposed plan. The applicant is showing external connections to Hi Pack Drive and Hammonds Drive. The original PUD also included requirements for sidewalks on both sides of the street along residential or amenity locations. The development also includes two private streets.

The PUD also required large buffers against the north, south and west property lines. The north and south buffers were required to meet the residential buffer requirements of the zoning ordinance. The trees in this area have been removed. They will have to be replanted to meet the residential buffer requirements. The setbacks are consistent with the buffers, but the plat should note them as buffers as well. Additionally, the development is required to have one (1) canopy tree per residential lot. This should either be in the front yard or in the right-of-way with city approval.

Overall, the density and general street layout are consistent to approved PUD. The single-family lots exceed the minimum standards. However, the development was originally contemplated with a strong emphasis on community, design, open space and amenities. The central open space has changed from a swimming pool to a large playground, but maintains a central green space that is open to residents. This plan changes the unit types and moves more of the common space into individual lots. Many of the features that were intended to create a traditional neighborhood or promote interaction between neighbors have been diminished or removed completely. Initially, staff had concerns about some of the small lot sizes in relation to what was conventionally allowed within the city. We felt this was best mitigated through the large amenities/open space areas and emphasis on design and character. While this plan generally increases those lot sizes they are still well below conventional standards in the city. Staff still feels the previous residential character is more creates a better neighborhood feel. The newer residential however now has much larger homes with garages which the applicant feels is much more in line with market demand.

Staff Recommendation: Staff believes the proposed plan is largely consistent with the overall approved master plan. The only issue that staff remains concerned about is the type of housing. While important, this preference may not be as prominent of a distinction to the commission or general public as with planning staff. The Planning Commission could approve this amendment as proposed or with a request to look at alternative housing styles. Staff recommends any approval include the following conditions from the initial approval.

- 1. Provide sidewalks on both sides of each street adjoining an amenity or residence.**
- 2. All utilities shall be underground.**
- 3. Connections to Hi-Pack Drive shall be coordinated with the City Engineer.**
- 4. Residential buffers found in Section 10.6.D1 of the zoning ordinance shall be required on the northern and southern property lines.**
- 5. One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of Opelika or in the front yard adjacent to the public right-of-way.**

6. No sideyard on street setbacks along public right-of-way shall be less than six (6) feet.
7. Open space shall be clearly marked and the use and maintenance shall be noted.
8. The buildings will match the architectural style and character of the provided renderings.
9. No vinyl or metal siding shall be used.
10. All parking adjacent to the street shall be the responsibility of the developer or homeowners association.

Engineer's Report

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

Opelika Utilities

Water service is accessible to this use by water mains on Hi Pack and Hammonds Drive.

Opelika Power Services

This subdivision is inside the Opelika Power Service territory.



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



DEADLINE: _____ MEETING: _____

SITE ADDRESS: Parcel B Hi-Pack Drive
PROPERTY OWNER: SP Opelika Ventures, LLC
APPLICANT/AUTHORIZED REPRESENTATIVE: Brian Lee
MAILING ADDRESS: 6053 Stage Road, Auburn, AL 36832
PHONE NUMBER: 334 320-5488 **FAX NUMBER:** _____
EMAIL ADDRESS: Brian@ACAIconstruction.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: The Villages of Opelika

Current Land Use: Timber(clear cut)

Current Zoning: PUD

Proposed use of the Subdivision: Residential

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

Number of Lots: 126 x \$3.00 = \$ 378

Number of APO: 17 x \$7.00 = \$ 119
 (Adjacent Property Owners)

Fee: \$75.00

TOTAL = 572

PAID \$572.00

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) The Villages of Opelika 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) **Brian Lee**

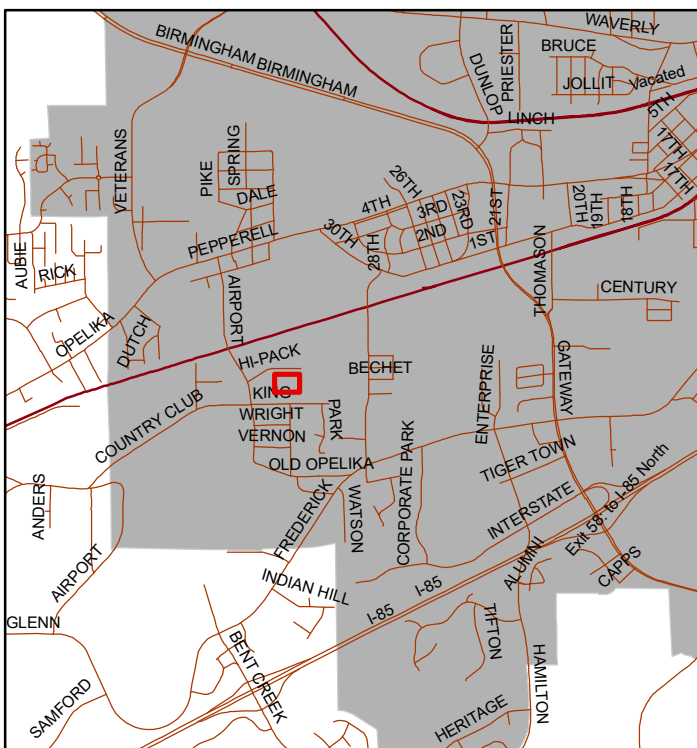
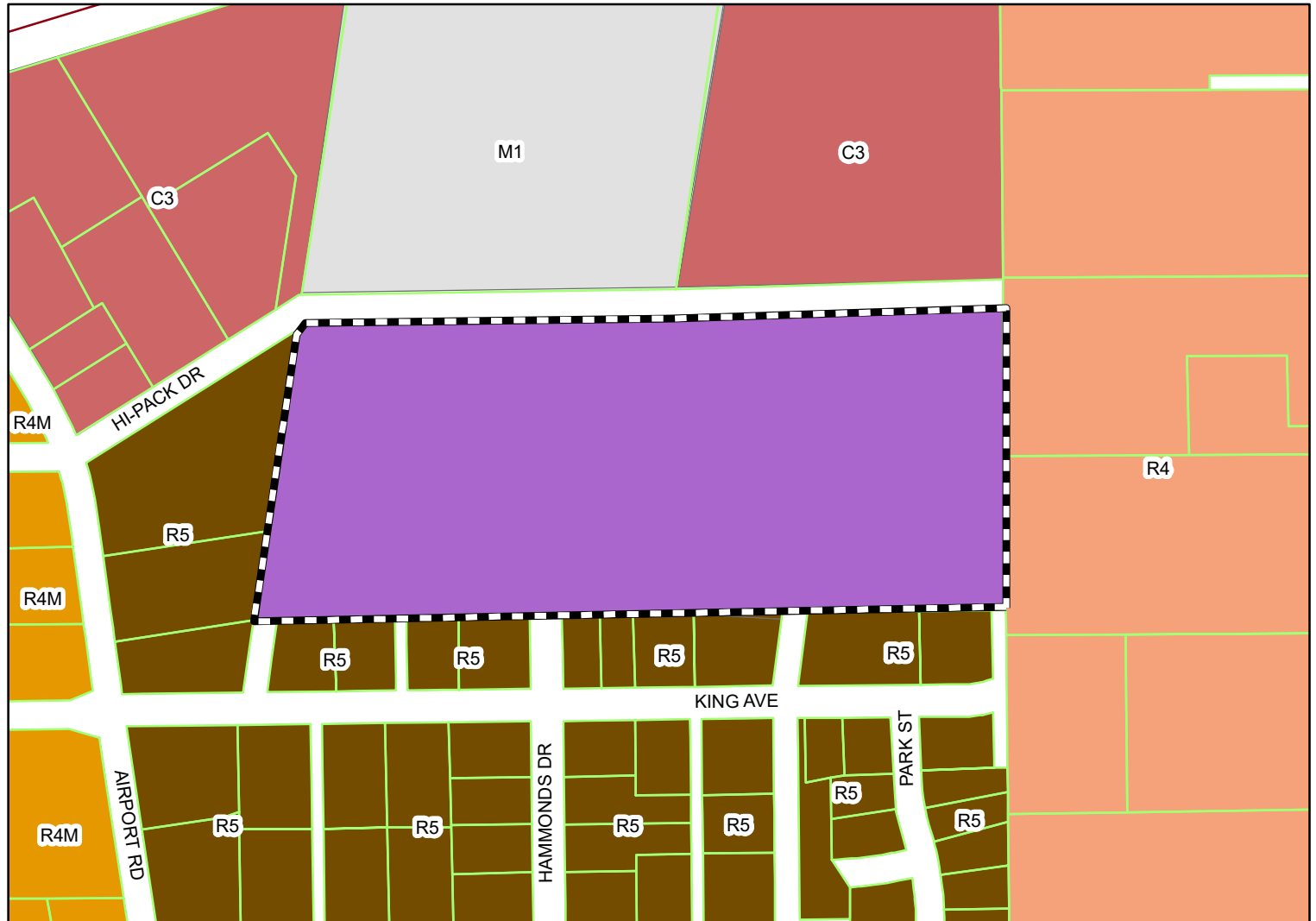
11/5/21

DATE

MASTER PLAN REVISIONS AND THE VILLAGES AT OPELIKA SUBDIVISION

3001 HI PACK DRIVE AND HAMMONDS DRIVE

MASTER PLAN AMENDMENT AND PRELIMINARY PLAT APPROVAL, H-10, 11



City Council approved a PUD zone for this 22 acre parcel in August 2020. Applicant requesting Master Plan revisions and preliminary plat approved. The development consists of single family homes and townhomes with open space and amenities. Landscaping, buffers, underground utilities, and sidewalks are required.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Subdivision: The Villages of Opelika

Agenda Item #: H-11

Action Requested: Preliminary Approval

Location of Property: 3001 Hi-Pack Drive

Property Owner(s): SP Opelika Ventures, LLC.
Brian Lee, Authorized representative

Current Land Use: Undeveloped

Current Zoning: PUD

Proposal

The applicant is requesting preliminary plat approval for a 130 lot subdivision. The subject property is approximately 21.92 acres located with a PUD zoning designation. The proposed subdivision contains 90 single-family lots, 35 townhome lots, three amenity lots, and two private street lots. The approved PUD included 94 single-family lots, 20 single-family bungalows and 24 townhome units shown as twin homes. The current plat shows a reduction of overall density and unit count.

The 90 single-family lots exceed the minimum size of 2,800 square feet and 35 ft width. Most of the lots are 42 feet in width and between 3,300 square feet and 4,400 square feet. The townhome lots are similar to the townhome/twinhome concept in the PUD. The minimum standards for these are 20 foot in width and minimum lot size of 1,100 square feet. These lots exceed this standard. The townhouse lots were originally shown in the PUD as two unit groups. The new plat shows these lots in a more traditional grouping of townhouses.

The original PUD showed a significant amount of open space and amenity space. The current plan slightly increases the amount of open space. Lot 106 is approximately 23,160 square feet and is shown having a pavilion and playground in the proposed PUD master plan (also on this agenda). The plat does not reference the ownership and maintenance of the amenity spaces. Lot 129, along Hi-Pack Drive, is also currently designated as green field(dog run). This property is split by the entry

road and will need to be separately numbered. The largest open space is located on the far east part of the property and is designated as a nature walk. The amenity spaces should also note that they are unbuildable.

The street configuration has been somewhat simplified but is still largely consistent with the proposed plan. The applicant is showing external connections to Hi Pack Drive and Hammonds Drive. These will need to be constructed during development. The original PUD also included requirements for sidewalks on both sides of the street along residential or amenity locations. The development also includes two private streets. Lots 98 and 114 have a public drainage and utility designation. There should be a note at final plat that the City is not responsible for maintenance of the private road/parking area they are not part of the public right-of-way.

The PUD also required large buffers against the north, south and west property lines. The north and south buffers were required to meet the residential buffer requirements of the zoning ordinance. The setbacks are consistent with the buffers, but the plat should note them as buffers as well. Additionally, the development is required to have one (1) canopy tree per residential lot. This should either be in the front yard or in the right-of-way with city approval.

Overall, the density and general street layout are consistent to approved and proposed PUD. The single-family lots exceed the minimum standards. As previously mentioned in the request to amend the PUD and master plan, the open space and housing style changes are significant. This plat should only be approved if the master development plan is amended as proposed. Otherwise, the plat would not be consistent with the approved PUD.

Staff recommends denial of this plat based on the recommendation of denial in for the PUD amendment. If the Planning Commission approves the PUD amendment they should approve the plat subject to the following conditions:

- 1. The private streets should have notes that the City is not responsible for the maintenance of the private streets or parking area.**
- 2. Provide sidewalks on both sides of each street adjoining an amenity or residence.**
- 3. All utilities shall be underground.**
- 4. Connections to Hi-Pack Drive and Hammonds Drive shall be coordinated with the City Engineer.**
- 5. Residential buffers found in Section 10.6.D1 of the zoning ordinance shall be required on the northern and southern property lines.**
- 6. One large/canopy tree shall be installed for each house frontage either in the right-of-way between the sidewalk and the street curb with permission from the City of**

Opelika or in the front yard adjacent to the public right-of-way. This should be noted on the plat.

- 7. No sideyard on street setbacks along public right-of-way shall be less than six (6) feet.**
- 8. Open space/amenities shall be clearly marked and the use and maintenance shall be noted.**
- 9. Note that open space or amenity lots are unbuildable.**
- 10. Lot 129 is split by Street A. This should be changed to two separate lots.**
- 11. Lot 67 is incorrectly labelled on the Lot Number chart and should be corrected.**
- 12. Many lots have lines labelled both setbacks and buffer. If they are buffers, the type of buffer should be noted in the notes. If they will just be green separation space, it is best to call them setbacks. Areas labelled as buffers may have restrictions on the location of accessory structures or parking.**

Engineering Department Report

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

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

A traffic impact study will not be required for this subdivision because the City has an upcoming project being designed on Hi Pack Drive that will take this additional traffic in consideration. The coordination of the access for this subdivision on Hi Pack Drive is also being coordinated by the City's engineer that is designing the roadway improvement project.

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

Opelika Utilities Board Report

Water service is accessible to this use by water mains on Hi Pack and Hammonds Drive.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

GENERAL NOTES:

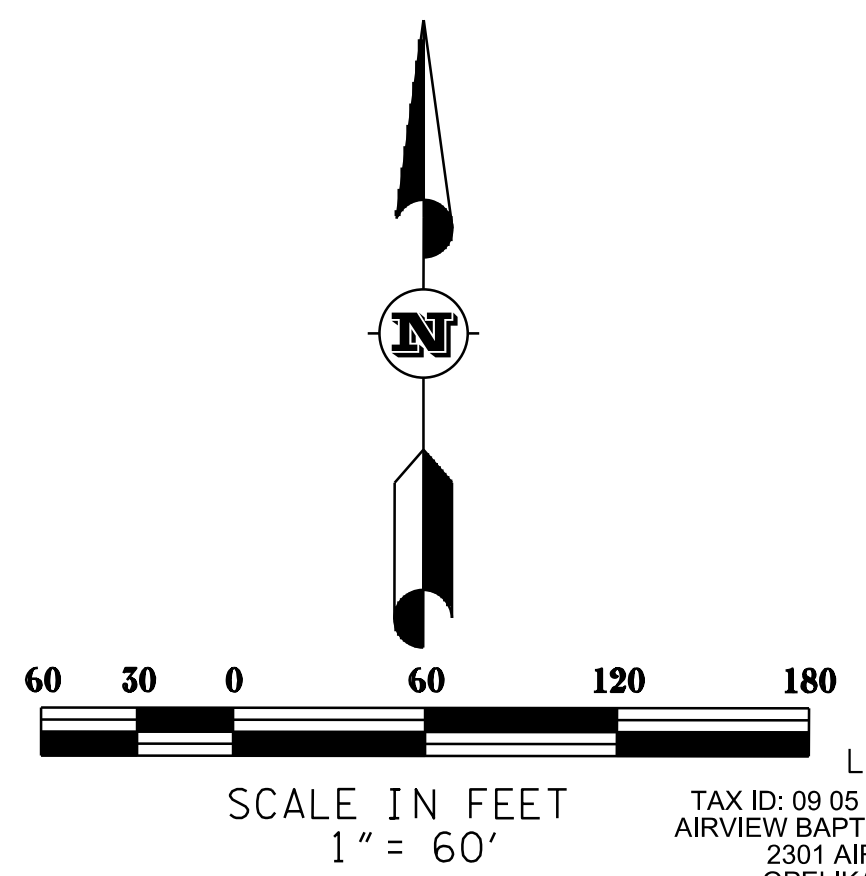
1. SOURCE OF INFORMATION USED: DEED BOOK 2571 AT PAGE 361, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN LEE COUNTY, ALABAMA.
2. NORTH DERIVED FROM RTK GPS SESSION, NAD83 AL EAST ZONE.
3. NO PORTION OF THIS PARCEL LIES WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP NUMBERS 01081C0068G AND 01081C0206G, DATED NOVEMBER 2, 2011.
4. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND ANY UTILITY COMPANY SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLES, LINES, GUY WIRES, AND OTHER FACILITIES. TOTAL EASEMENT WIDTH IS TEN (10) FEET WIDE WITH FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
5. OWNER/DEVELOPER: SP Opelika Ventures, LLC
709 Avenue A
Opelika AL 36801

CURVE	DELTA	LENGTH	RADIUS	CHORD	DISTANCE
CL1	98°59'27"	95.02	55.00	S 41°00'01" E	83.84
CL2	81°03'02"	77.80	55.00	N 49°01'14" E	71.48
CL3	22°22'51"	68.36	175.00	S 10°44'10" W	67.92
CL4	25°49'08"	78.86	175.00	S 09°01'02" W	78.19

PLAT NOTES:

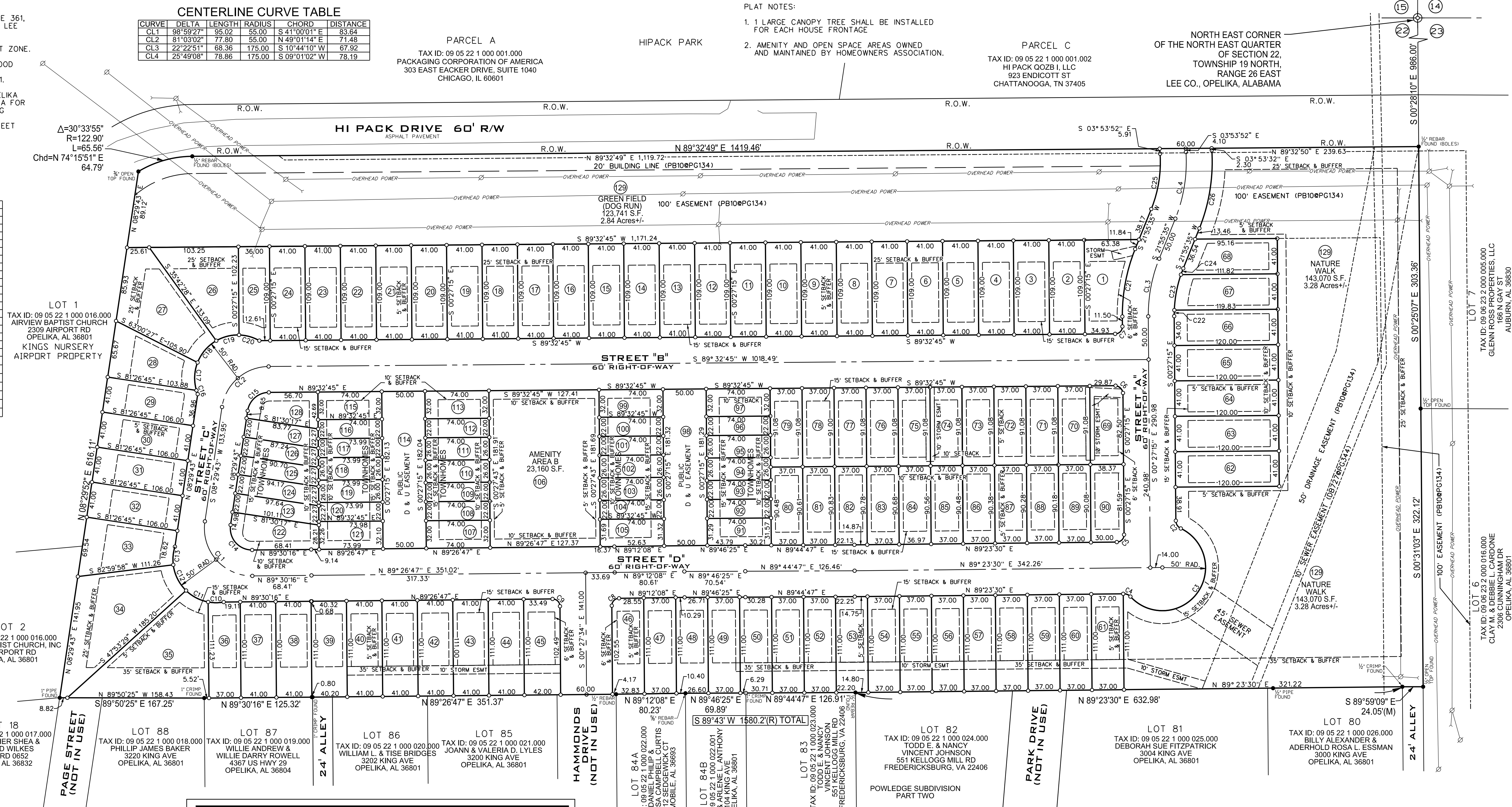
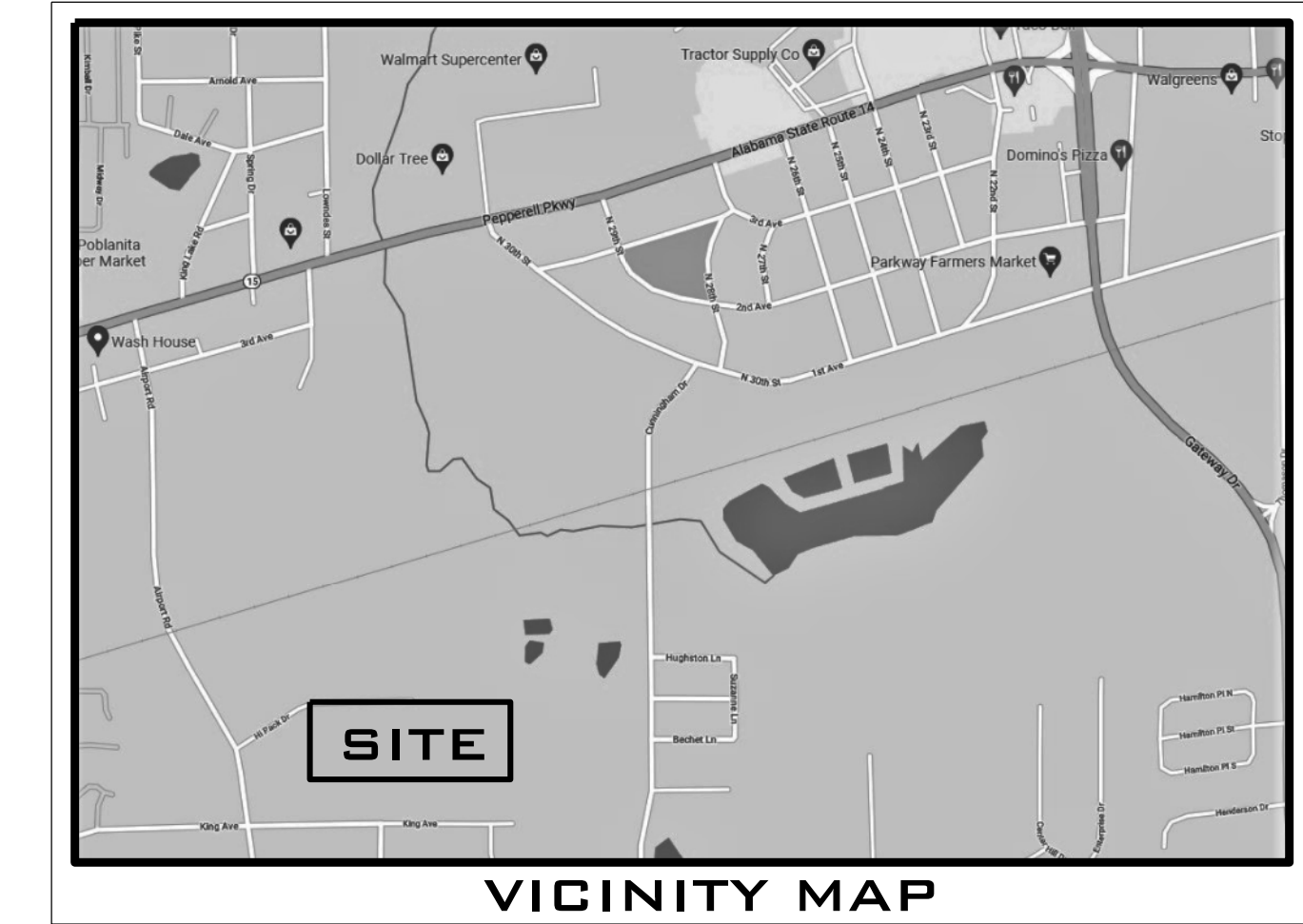
1. 1 LARGE CANOPY TREE SHALL BE INSTALLED FOR EACH HOUSE FRONTAGE
2. AMENITY AND OPEN SPACE AREAS OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION.

CURVE	DELTA	LENGTH	RADIUS	CHORD	DISTANCE
C1	12°04'23"	2.11	50.00	N 06°29'27" W	2.10
C2	52°14'51"	9.12	10.00	N 38°39'04" W	8.81
C3	202°27'57"	176.68	50.00	N 36°27'29" E	98.08
C4	48°12'37"	8.41	10.00	N 66°24'49" W	8.17
C5	89°50'45"	13.33	10.00	S 44°28'07" W	12.00
C6	73°53'20"	12.90	10.00	N 45°27'15" W	12.02
C7	73°53'20"	12.90	10.00	S 44°32'45" W	12.02
C8	90°00'00"	15.71	10.00	S 44°38'52" W	14.14
C9	90°01'28"	15.71	10.00	N 45°31'52" W	14.15
C10	20°44'52"	18.11	50.00	N 89°41'13" W	18.01
C11	33°26'37"	29.18	50.00	N 62°35'29" W	28.77
C12	38°52'09"	33.92	50.00	N 26°28'06" W	33.27
C13	24°23'14"	21.28	50.00	N 05°11'35" E	21.12
C14	98°56'58"	43.17	25.00	N 40°58'46" W	38.01
C15	81°03'02"	35.36	25.00	N 49°01'14" W	32.49
C16	05°14'09"	4.57	50.00	N 19°07'59" W	4.57
C17	37°46'07"	32.96	50.00	N 02°22'09" E	32.37
C18	38°46'41"	33.84	50.00	N 40°38'32" E	33.20
C19	31°34'21"	27.55	50.00	N 75°49'03" E	27.20
C20	28°11'18"	24.60	50.00	S 74°18'08" E	24.35
C21	22°22'51"	80.08	205.00	S 10°44'10" W	79.57
C22	02°46'01"	7.00	145.00	N 00°55'48" E	7.00
C23	16°33'52"	41.92	145.00	N 10°35'42" E	41.77
C24	03°02'57"	7.72	145.00	N 20°24'07" E	7.72
C25	25°49'08"	65.34	145.00	S 09°01'02" W	64.79
C26	25°49'08"	92.38	205.00	N 09°01'02" E	91.60



SAIN ASSOCIATES
 Surveyor
 Joshua Howard, PLS
 Alabama Reg. No. 33949
 Phone: (205) 940-6420
 E-mail: jhoward@sain.com
 SAIN ASSOCIATES, INC.
 Two Perimeter Park South
 Suite 500 East
 Birmingham, Alabama 35243

Subdivision design and lot layout provided by:
 Adams Construction & Associates, Inc.
 (334) 521-5320
 6053 Stage Road
 Auburn, AL 36832



LOT NUMBER	LOT AREA	LOT NUMBER	LOT AREA	LOT NUMBER	LOT AREA	LOT NUMBER	LOT AREA	LOT NUMBER	LOT AREA
1	4718	27	8111	53	4107	79	3371	104	1634
2	4469	28	4911	54	4107	80	3350	105	2333
3	4469	29	4342	55	4107	81	3360	106	23160
4	4469	30	4346	56	4107	82	3358	107	2366
5	4469	31	4346	57	4107	83	3358	108	1628
6	4469	32	4346	58	4107	84	3352	109	1628
7	4469	33	5805	59	4107	85	3349	110	1924
8	4469	34	11193	60	4107	86	3345	111	1924
9	4469	35	11577	61	4107	87	3342	112	1628
10	4469	36	4105	62	4920	88	3339	113	2368
11	4469	37	4551	63	4920	89	3335	114	9105
12	4469	38	4551	64	4920	90	3440	115	2368
13	4469	39	4551	65	4920	91	2325	116	1628
14	4469	40	4551	66	4920	92	1628	117	1628
15	4469	41	4551	67	491	93	1628	118	1924
16	4469	42	4551	68	4247	94	1924	119	1924
17	4469	43	4551	69	3475	95	1924	120	1628
18	4469	44	4551	70	3475	96	1628	121	2381
19	4469	45	4646	71	3370	97	1924	122	3568
20	4469	46	4092	72	3370	98	9065	123	2186
21	4469	47	4107	73	3370	99	2368	124	2034
22	4469	48	4107	74	3370	100	1628	125	2033
23	4469	49	4107	75	3370	101	1628	126	1957
24	4469	50	4107	76	3370	102	1924	127	1881
25	3820	51	4107	77	3369	103	1918	128	2831
26	6927	52	4107	78	3369				

SURVEYOR'S CERTIFICATE
 I, JOSHUA L. HOWARD, A LICENSED 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 STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

NOVEMBER 8, 2021
 JOSHUA L. HOWARD (PLS NO. 33949)
 (NOT VALID WITHOUT SURVEYOR'S SEAL AND SIGNATURE)

DEDICATION
 I, _____, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT, HEREBY JOIN IN THE STATEMENT OF JOSHUA L. HOWARD, AND CERTIFY THAT IT WAS AND IS MY PURPOSE TO DIVIDE THE LAND SO PLATTED INTO LOTS AS SHOWN.

OWNER NAME _____ DATE _____

ACKNOWLEDGEMENT
 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 WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

NOTARY PUBLIC _____ DATE _____
 MY COMMISSION EXPIRES: _____

REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, LEE COUNTY, ALABAMA.

OPELIKA POWER SERVICES _____ DATE _____

REVIEWED ON BEHALF OF THE UTILITIES BOARD OF THE CITY OF OPELIKA, LEE COUNTY, ALABAMA.

UTILITIES BOARD, CITY OF OPELIKA _____ DATE _____

APPROVED BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF OPELIKA, LEE COUNTY, ALABAMA.

PUBLIC WORKS DIRECTOR _____ DATE _____

APPROVED BY THE OPELIKA CITY PLANNER:

PLANNER _____ DATE _____

APPROVED BY THE OPELIKA CITY ENGINEER:

ENGINEER _____ DATE _____

APPROVED BY THE OPELIKA PLANNING COMMISSION:

CHAIRMAN _____ DATE _____

PRELIMINARY PLAT THE VILLAGES OF OPELIKA

situated in
 Northeast corner
 of the Northeast quarter
 of Section 22,
 Township 19 North,
 Range 26 East
 Lee Co., Opelika, Alabama

Prepared by
 Sain Associates
 Two Perimeter Park South
 Suite 500 East
 Birmingham, Alabama 35243
 Phone: (205) 940-6420
 Website: www.sain.com
 Date: November 9, 2021.

TAX ID: 09 05 22 1 000 005 000
 GLENN ROBERT GAY, III
 AUBURN, AL 36830

TAX ID: 09 05 22 1 000 016 000
 CLAYTON B. BISHOP, JR.
 2305 KINGS RD
 OPELIKA, AL 36801





Branchwood Townhome

The Villages of Opelika

















BRANCHWOOD STANDARD OPTIONS.

:: UNIQUE INTERIORS

- :: 9 foot smooth ceilings on main level and 8' smooth ceilings on second level
- :: Cove Crown Molding and Judge's Paneling in Foyer
- :: Luxury Vinyl Plank Flooring throughout main living areas and Secondary Bath (level 1)
- :: Upgraded Designer Collection Paint Throughout (walls and ceiling)
- :: Pedestal sink in powder room
- :: Upgraded (elongated) toilets in all bathrooms
- :: Overhead lights in all bedrooms
- :: Cultured marble countertops with rectangular sinks in all bathrooms
- :: Designer lighting packages (level 1)
- :: Cable and phone connections in family room and master
- :: Ceiling fan pre-wire and switches in all bedrooms
- :: 1 Set of In-Ceiling Speakers
- :: Designer Classic III Style Interior Doors
- :: Large closets and pantries with vinyl clad ventilated shelving
- :: 6lb carpet pad
- :: Delta Chrome Plumbing Fixtures (level 1)
- :: Plush carpeting (level 1)

:: DISTINCTIVE EXTERIORS

- :: Distinctive exterior designs- Front Elevation (per plan) Some Combination of Brick, Stone, Board and Batten and Hardi Shake with Sides and Rear to be Concrete Siding
- :: Maintenance free vinyl windows
- :: Classic III Fiberglass front door
- :: 20 Year Warranty Shingles
- :: Landscaped yards featuring fully sodded lawns on all disturbed areas
- :: Slab Foundations
- :: Vinyl soffit
- :: Weatherproof exterior electrical outlets
- :: Single car garages (per plan) - finished
- :: 10x12 Patio/Deck

:: GOURMET KITCHEN

- :: Stainless appliance package includes: range, dishwasher and microwave
- :: Double or single bowl stainless steel undermount sink
- :: Garbage disposal
- :: Granite countertops (level 1) with ceramic tile backsplash (level 1)
- :: 42" upper kitchen cabinets with crown moulding
- :: 5 LED can lights in kitchen (per plan)

:: OWNER'S RETREAT

- :: Incredibly sized owner's suites with tray ceilings
- :: LED lighting over owners retreat tub/shower
- :: Spacious walk-in closets
- :: Double bowl vanities (per plan)
- :: 5' Tile Shower in owner's retreat (level 1)

:: QUALITY CONSTRUCTION

- :: 10 Year Structural Warranty/ 2 Year Functional Major Mechanicals Warranty/1 Year Builder Workmanship Materials Warranty
- :: CO2 and Smoke Detectors Hardwired w/Battery Back-up
- :: Multiple Climate Control System w/Separate Digital Programmable Thermostats for Upstairs and Downstairs for Better Energy Efficiency
- :: Insulated Double Pane "Low-E" Glass Windows with Tilt-In Lower Sash for Easy Cleaning
- :: Protective House Wrap Decreases Air and Moisture Infiltrations and Increases Energy Efficiency
- :: Deadbolt Locks on All Exterior Doors
- :: Skybell Video Doorbell
- :: Smoke Detectors on 1st & 2nd Floors & All Bedrooms (per plan)
- :: G.F.I. Protected Outlets in Kitchen, Baths, Laundry Room and Garage
- :: Full Time Warranty Department for Continuous Homeowner Support
- :: Two Quality Assurance Inspections with Homeowner Prior to Closing
- :: 60 Day and 11 Month Scheduled Warranty Appointments After Closing
- :: Full 10 Year Structural Warranty Provided Through 2-10 Home Warranty and Transferable Upon Resale

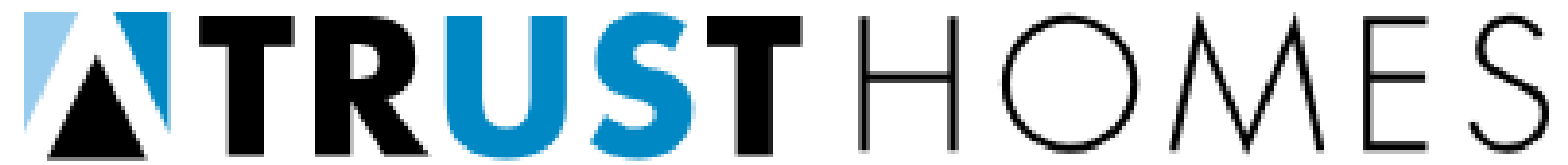
:: ENERGY EFFICIENT FEATURES

- :: ENERGY STAR Qualified Appliances for Lower Energy Costs
- :: Low E Windows for 15% Less Heating/Cooling Costs
- :: 14 SEER HVAC Helps Save Energy and Money
- :: PEX Plumbing is More Resistant to Freeze Breakage
- :: Tankless Water Heater

MARKETING COLLATERAL REVISED: 03/17/21.

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Project Experience















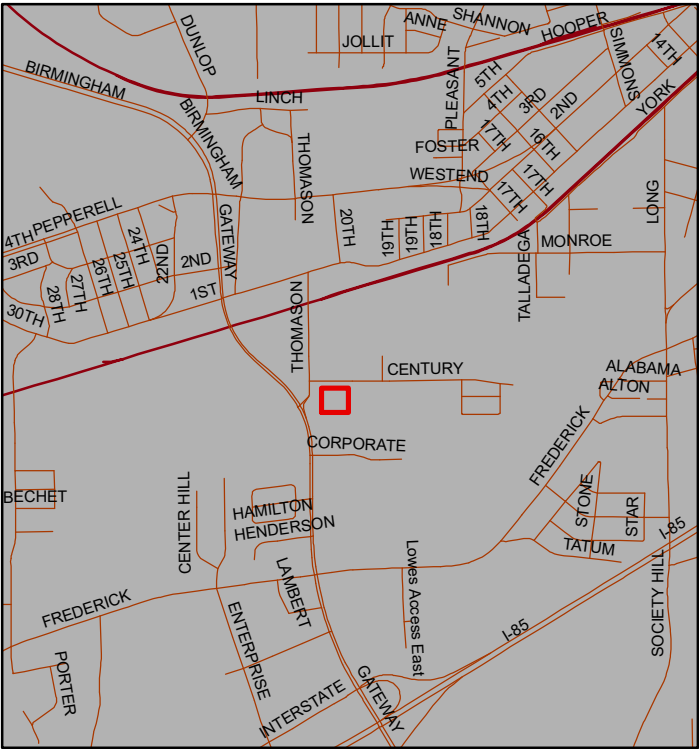
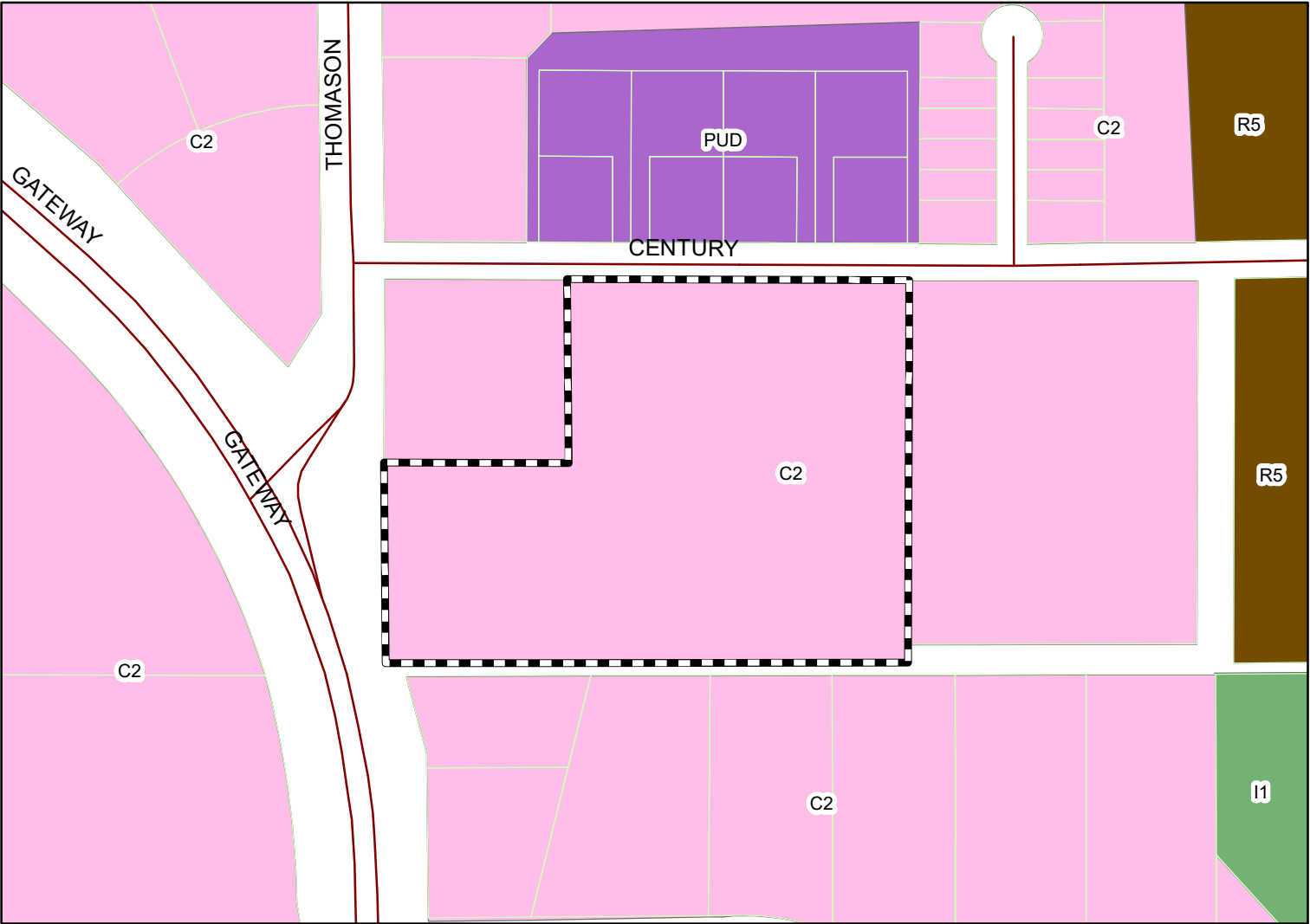








LEGACY VILLAGE TOWNHOMES - REVISIONS TO BUILDING ELEVATIONS
1901 CENTURY BOULEVARD
OTHER BUSINESS, I-12



The applicant is requesting comments on revisions to building elevations due to a change in market demand and increasing building material cost. Conditional Use approval granted at Dec 2020 PC meeting. (Elevations in packet.) The subject property is located in a C-2, GC-P zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: November 23, 2021

Agenda Item #: I-12

Action Requested: Other Business – Revisions to Building Elevations

Location of Property: Century Boulevard

Property Owner(s): Clayton Properties Group, Inc.
Stuart Nash, representative

Current Land Use: Undeveloped (future Legacy Village Townhomes)

Current Zoning: C-2, GC-P

Staff Comments:

At the December 15, 2020 meeting, the Legacy Village Townhomes was granted conditional use approval consisting of 51 townhomes units. The townhomes are attached or grouped together from three townhomes to six townhomes; there are a total of 11 townhome groups. Open space of at least 20 feet is between each townhome group. The developer is requesting a change to the townhome elevations that were approved at the December 15, 2020 Planning Commission meeting. An elevation drawing is in your packet to compare the approved 2020 elevations with the proposed 2021 changes the applicant is now requesting.

The three exterior materials used for the 2020 and 2021 elevations have not changed - brick veneer, board & bantam siding, and lap siding. Brick veneer is used more on the 2020 elevations than the 2021 elevations. On the 2020 front elevation, brick veneer is shown on the gable front walls and the first floor exterior walls located on each side of the gable front walls.

On the 2021 elevations, brick veneer is shown on the gable front walls only; no brick is on the first floor walls on each side of the gable wall. Lap siding is used for the first floor walls instead of brick. On the 2020 and 2021 elevations, the 2nd floor exterior wall materials are the same - board & bantam siding.

On the 2020 elevations, for example, a five unit townhome group is shown consisting of three two-story townhome units attached in the middle and a one-story townhome unit attached on each end of the three-townhome units. In the 2021 elevations, the one-story units are removed, and all five townhomes are two-story. On the 2021 plan, the five townhome units are identical in appearance with a look of row houses. In comparison, the 2020 elevations have more roof line variations providing

more attractive architecture with some qualities as a detached home. The 2020 plan looks more unique compared to the uniform appearance of the 2021 plan.

Staff prefers that the townhome elevations approved at the December 15, 2020 meeting. The applicant's letter states the reason for the elevation change is because of rising material costs and change in market demand. However, the proposed plan is still in compliance with the Gateway Corridor cladding requirements.

Engineering Department Report

No report.

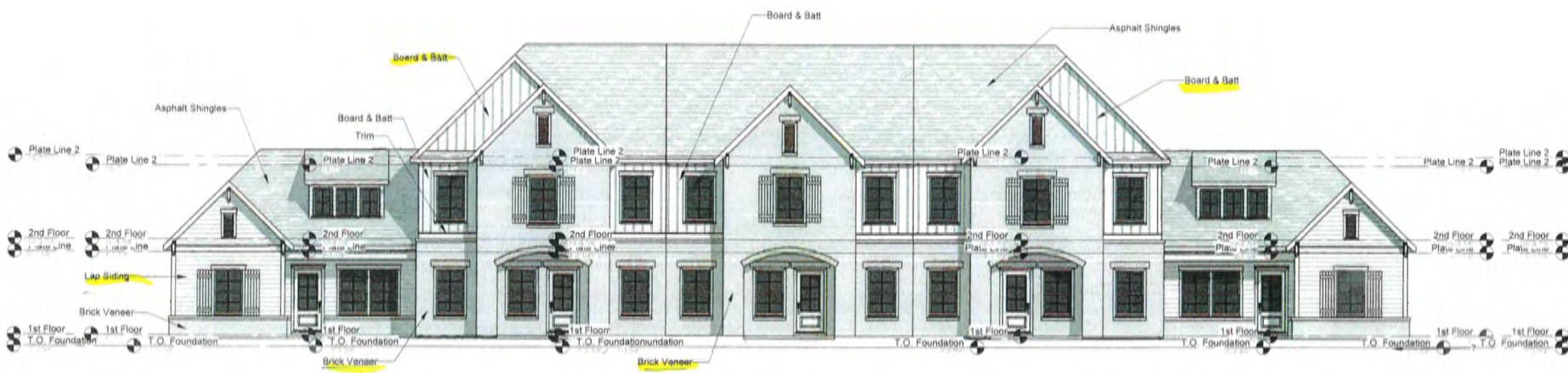
Opelika Utilities Board Report

No report.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

2020



2020



2021



2021

