



**CITY OF OPELIKA
PLANNING COMMISSION
REGULAR MEETING AGENDA
300 Martin Luther King Blvd.
December 21, 2021
TIME: 3:00 PM**

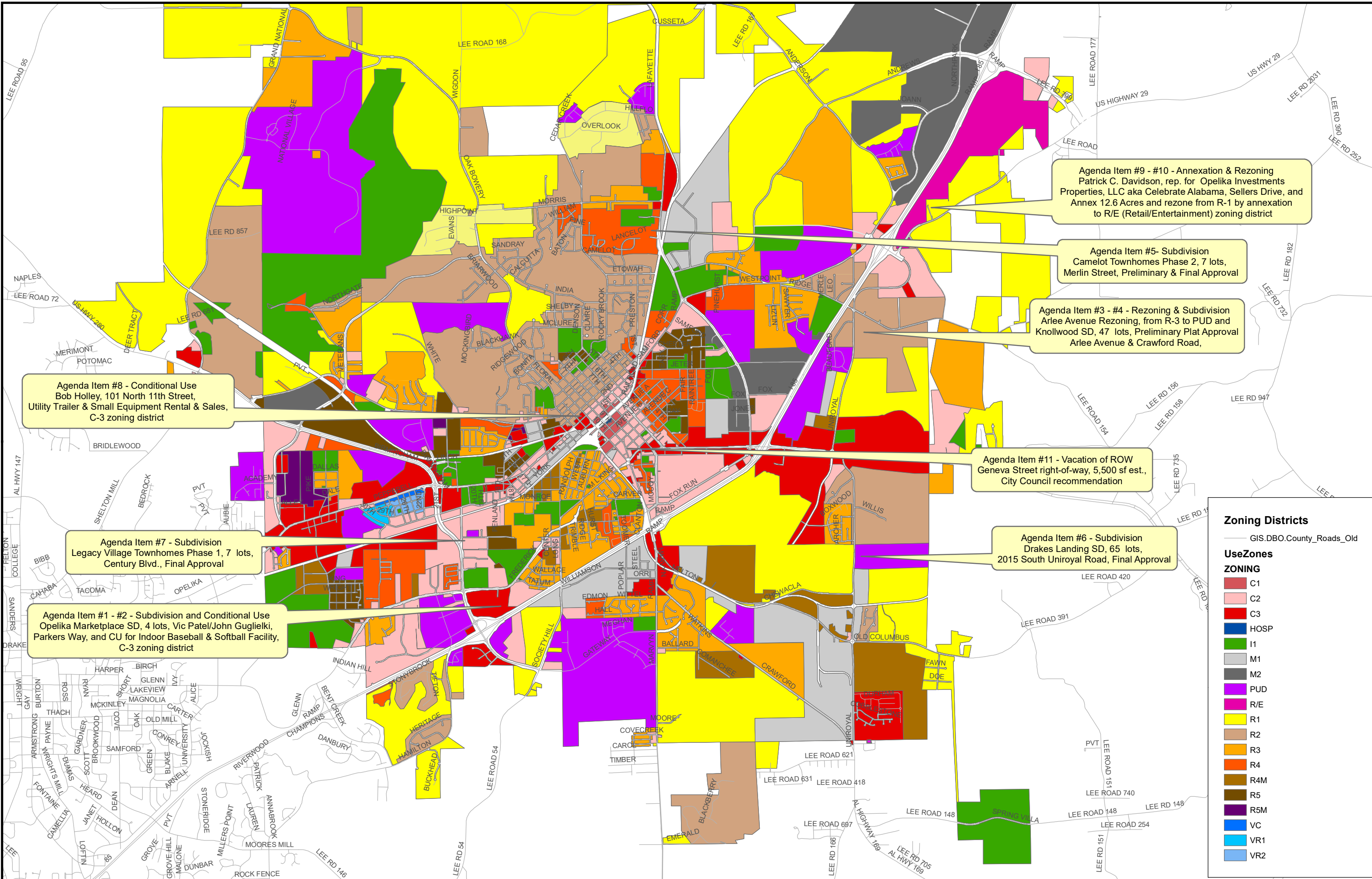
- A. APPROVAL OF MINUTES
- B. UPDATE ON PREVIOUS PC CASES
- C. PLAT (Preliminary Only) and CONDITIONAL USE - Public Hearing
 - 1. Opelika Marketplace SD, 4 lots, Parker Way, Arthur R. Nettles, Preliminary Approval
 - 2. Vic Patel /John Guglielmi, Parker Way, C-3, Indoor Baseball and Softball Training Facility
- D. REZONING and PLAT (Preliminary Only) - Public Hearing
 - 3. Rezoning Request, Brandon Hayes, representative, 17.9 acres, Arlee Avenue and Crawford Road, from R-3 to PUD
 - 4. Knollwood SD, 49 lots, Arlee Avenue & Crawford Road, Brandon Hays, Hartbrook Development LLC, Preliminary Approval
- E. PLAT (Preliminary and Final) - Public Hearing
 - 5. Camelot Townhomes Phase 2 SD, 7 lots, Merlin Street, Mark D. Strozier, Preliminary and Final Approval
- F. FINAL APPROVAL
 - 6. Drakes Landing Phase 1 SD, 65 lots, 2015 South Uniroyal Road, Final Approval
 - 7. Legacy Village Townhomes Phase 1 SD, 7 Lots, Century Blvd., Final Approval
- G. CONDITIONAL USE - Public Hearing
 - 8. Bob Holley, 101 North 11th Street, C-3, Utility Trailer & Small Equipment Rental & Sales
- H. ANNEXATION and REZONING - Public Hearing

9. Annexation, Patrick C. Davidson, representative, 2800/2900 Sellers Drive, Annex 12.6 Acres
10. Rezoning Request, Patrick C. Davidson, representative. 2800/2900 Sellers Drive, 12.6 Acres, from R-1 to R/E

I. VACATION

11. Manish Desai, representative for HARA, LLC, 510 Geneva Street, requesting to vacate 5,500 square feet of Geneva Street right-of-way located adjacent to the petitioner's south property line and west of Geneva Street cul-de-sac.

“In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-2083.”



Agenda Item #8 - Conditional Use
Bob Holley, 101 North 11th Street,
Utility Trailer & Small Equipment Rental & Sales,
C-3 zoning district

Agenda Item #7 - Subdivision
Legacy Village Townhomes Phase 1, 7 lots,
Century Blvd., Final Approval

Agenda Item #1 - #2 - Subdivision and Conditional Use
Opelika Marketplace SD, 4 lots, Vic Patel/John Guglielki,
Parkers Way, and CU for Indoor Baseball & Softball Facility,
C-3 zoning district

Agenda Item #9 - #10 - Annexation & Rezoning
Patrick C. Davidson, rep. for Opelika Investments
Properties, LLC aka Celebrate Alabama, Sellers Drive, and
Annex 12.6 Acres and rezone from R-1 by annexation
to R/E (Retail/Entertainment) zoning district

Agenda Item #5- Subdivision
Camelot Townhomes Phase 2, 7 lots,
Merlin Street, Preliminary & Final Approval

Agenda Item #3 - #4 - Rezoning & Subdivision
Arlee Avenue Rezoning, from R-3 to PUD and
Knollwood SD, 47 lots, Preliminary Plat Approval
Arlee Avenue & Crawford Road,

Agenda Item #11 - Vacation of ROW
Geneva Street right-of-way, 5,500 sf est.,
City Council recommendation

Agenda Item #6 - Subdivision
Drakes Landing SD, 65 lots,
2015 South Uniroyal Road, Final Approval

Zoning Districts

GIS.DBO.County_Roads_Old

UseZones

ZONING

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



PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

November 23, 2021

TIME: 3:00 PM

A. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting November 23, 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, Councilman George Allen, Mrs. Leigh Whatley, Ms. Lucinda Cannon, Mr. Michael Hilyer, and Mr. John Sweatman.

MEMBERS ABSENT: Dr. Arturo Menefee.

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 October 26, 2021

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

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

NAYS: None

ABSTAIN: None

B. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated we have two new members on the Planning Commission. City Council member George Allen, representing Ward 1, is the new member for the City Council representing their interest on the Planning Commission, and John Sweatman who is our Project Manager for Economic Development. I look forward to their service. The City Council did approve both revisions to the sign

ordinance that the Commission made a few months ago. They also approved the rezoning for one of the properties on South Fox Run and approved the Master Plan and Planned Unit Development for Blackberry Reserve at their last meeting. Just a reminder that the December meeting will be December 21, 2021 at 3 p.m. in this room. That will be the third Tuesday due to the holidays.

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

Mr. Mosley reported the applicant is requesting rezoning 160.2 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.

Mr. Mosley stated there is no Future Land Use designation change because this is shown as low density, which the PUD technically would still be classified as low density because of the overall density requirement.

Mr. Parker reported for Engineering, the Engineering Department has no

comments or concerns with the proposed rezoning application.

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

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

Chairman Cherry opened the public hearing.

Dr. Alfred Mitchell (Sonny), 703 North Uniroyal Road, stated I adjoin this property for about 4,500 feet. I do have some issues and concerns with this plat and it's rezoning. Traffic is number one, you've got Town Lakes emptying onto North Uniroyal in rush hours in the morning and in the afternoon going both ways back over toward the interstate and it can be significant. Three hundred and eighty-six new homes at this density could cause a problem. I think it probably will and I think y'all need to do a traffic study and evaluate that because all of us living along that road are going to suffer from that if you don't. The plat and lot size are not consistent with anything around it. If you look at your picture up there, you'll see all the lots across the road and everything are much bigger. Now I know an R-2 allows that, but I think that's a consideration. It really isn't across the street from Town Lakes, that's down the road and at a minimum I feel like y'all should have some diversity of lot size in this place. We don't want all real small stuff, let's put some big stuff in there too if it's going to happen. I think that would be better for everybody if we did that. Sometimes when you rezone to a PUD, later on down the road when the developers have built some houses people go buying thinking 'I'm buying a single-family dwelling that's what this neighborhood's going to be' and they come along later and they change it and they put much higher density stuff back in the PUD. This has happened in Auburn and lo and behold on your agenda today you have that very thing being proposed. Then the original buyers are stuck with more traffic, maybe some property value concerns, or any number of things that they didn't expect. So, while that has to go back through you, in an R-2 zone then that wouldn't be allowed so I think it would be better off to stay as R-2 for that reason. Probably my greatest concern, and I mentioned to you I adjoin this property for almost a mile, is I have got five perennial streams and I have got a five-acre lake on the property. The topography which is not illustrated by this drawing is really significant. There's as much as a hundred feet elevation change between parts of that property and my property line. Water quality is really important at this time. I've consulted with my own civil engineer and he says my concerns are warranted. I think there's a good chance I'm going to suffer damage in my waterways at this density because this is going to require some mass grading to do this. So, I certainly want to protect my property and I don't want my lake destroyed or silted in or my creeks or any of my environmental sensitive areas disturbed by this. Now I'm not saying I don't oppose this being developed, but I'm not so sure at this density considering the topography which y'all are not seeing on here. I've got ephemeral areas on my land as well and they've got lots right up to them. They've got them going right up to perennial streams that originate on this property but drain onto my property and so at the end of the day sure develop it, but let's slow down and let's do a study. I'd like to see a water management study and I've talked with the city, I've talked to ADEM, and I've

talked to the Corps of Engineers and everybody is concerned about water quality, of course most of all me. I would like that to be taken into consideration because I'm not sure normal mitigation procedures to prevent sedimentation and wash and all that may not be adequate for this because there is so much sloping on this property. Even the engineers have told me 'Well if we have a big rain, we can't stop it. It's going to come muddy your stuff up or silt your stuff in'. Well, maybe so, but maybe that means that they need to take a little more time, maybe do some extra procedures to protect my property. It's been in my family almost 70 years and I don't want to see it degrading because of this. Again, I reiterate I'm not against the thing being developed, but I think the way it is expressed now may not be the best for our city and definitely won't be the best for me and probably not for the best of the citizens that live out around Uniroyal. Thank you for your time.

Fred Cotney, 2704 Ridge Road, stated I own the property on 2405 Ridge Road. It's on the east side of the property that's being developed all the way down that side there. I think I counted like 57 houses being built down through there. I have a lot of the same concerns that Sonny has. Water run-off on me as well as, I think the gentleman said there is going to be a buffer zone down through there, but I'd love to know is there going to be any privacy fence between us? Because where I'm building, I'll be looking at the back of 12 to 15 houses right there out of my front porch, so I've got a lot of concerns about that. I have a lot of concerns about the traffic flow as well as the water. If you go back towards the Interstate on Hwy 29, you all know how bad an intersection that is right there at Hwy 29 and Uniroyal Road. That's a death trap and if you've got 300 and something more people coming out there that's going to be very dangerous. Of course, I would love to see it stay in R-2 because that's what we were up here a year ago about and I understood that that was the end of it. I don't know if this is the procedure it goes through you just keep coming back and asking for it to be rezoned. Is it going to be rezoned next year for a trailer park? Where is going to be the end? Everything out there is R-2 so we would love for it to stay R-2. We can't stop the development of it, but we would love to see it developed in a manner that is subject to what is already out there. Are these meetings recorded or minutes taken or anything where if we want to go back a year from now and see what was said we can?

Mr. Mosley stated yes sir, they are both recorded and there will be minutes produced from that as well.

Fred Cotney asked did you also say there would be a buffer zone on the property line down through there?

Mr. Mosley stated yes sir.

Fred Cotney asked how wide a buffer zone?

Mr. Mosley stated the buffer zone can change based on the type the applicant proposes. It could either be a 20-foot undisturbed buffer, it could be a 10-foot buffer with a double row of evergreen plantings, or it could be a four to six foot buffer I can't remember exactly with a fence and a single row of evergreens.

Fred Cotney stated okay I appreciate y'all's time.

Heather Fields, 2330 Ridge Road, stated when we bought our property back in 2001 there were covenants. It was a subdivision, I don't really think they exist anymore, but it was that you couldn't have less than a three-acre lot out there, hence why you have everybody that's R-2. So, I would like to see it stay R-2 so that we have more people that are similar to what we already have there. The other thing is the traffic. They are right, it's horrendous out there. If you turn and you go on Hwy 29 to go across all the traffic that we have from Southern Union, it's usually backed up all the way to the stop sign where North Uniroyal and Hwy 29 intersect and if you go the other way and try to get out down at the Dollar General it's horrendous. Especially at any time from three to five, you just can't get through there. I mean there's just so much. I think this many houses would just be too many and they're so small. There are so many people right now who are looking for houses with land. I had several of my friends that looked in Opelika, one that's down out of the city limits because they couldn't find any land. They've gone out to Waverly. If we had a nice subdivision that had larger lots, whether it's an acre or whether it's three acres, just present that and I think you would find that more people would be interested in that and it would give us an opportunity to attract a different clientele than the smaller houses would. My big concern too is one of the exits is right in front of my house. Mr. Freddie's land is on the opposite side and if you look at that exit there it's right in a curve. It's a bad curve. I try to sit there for 10 seconds and people still sneak up on me. It's just not a good place to have an exit either for this place, especially if we're going to have that many houses. I also say we can't stop it from developing, I'm just begging you please to consider something larger than this. It would just attract people that would probably enjoy that more than the small houses. Thank you.

Mike Harris, 1000 North Uniroyal Road, stated my major concern is the traffic and the noise level. Ever since the road was closed up at Ridge Road and then when folks would come down Hwy 29 and they'd turn and go south on North Uniroyal, but once they found that shortcut coming down to Dollar General before y'all put a traffic light down there, once they found that shortcut instead of going down to exit 62 from 64, the traffic increase has just been crazy. There's a 45 mile an hour speed limit and I don't know what the average speed limit in a residential zone is in Opelika, but I'm pretty sure it's not 45 and it sure isn't 60 to 80 which is what most folks are running coming down that road. Right where you have the entrance off of Uniroyal, that goes downhill right there because everybody goes so fast that the trash flies out the back of their pickup trucks and lands on my front yard. The noise level has been increased so bad that my wife and I try and sit out on our porch and we can't even talk to each other at breakfast time and again we can't talk to each other at supper time. I'm sure part of it is to do with my hearing and she'll tell you that, but it's just not a good idea to have that entrance put there for 360 homes. Having land run off, a two-tenths of an acre type home, I mean everybody needs some place to live but when you say it's common to the area, that's not common to anybody that lives right there on Uniroyal Road size wise. Most people are one to five to ten acres through there until you get down to the corner down there. I just think you need a little more time and a little more understanding and studying instead of just looking at it on a piece of paper or something. Come on by the house and just hang out for a little while. I'll fix you breakfast and if you can talk to me while we're sitting there eating breakfast without yelling at me, and I'll even put my hearing aids in, you let me know but that noise and that traffic level is just incredible. If you put 300

and some houses over here, and most people have more than one vehicle, so now you're talking about putting 750 vehicles coming in and out of there and that's just crazy. Thank you.

Chairman Cherry closed the public hearing.

Mr. Mosley stated we did get one last phone call right before the meeting. Carol Bond at 2100 Ridge Road is also an adjoining property owner and could not attend but did want to express her concerns over the lot size and lack of open space on the property.

Blake Rice, Barrett Simpson Engineering, stated in regard to the traffic, Mr. Parker and I have talked extensively about this. What has been determined to be the best idea in our opinion, Mr. Parker don't let me put words in your mouth, but you have a residential subdivision accessing out onto two roads that are operating way below current capacity. Just to the south on Uniroyal you have an access on to U.S. 280 that is signalized. As you move north you do have a strange intersection with Hwy 29 and North Uniroyal, but I believe also just north of that the city has the intention to put a roundabout at that location. So, north and south you've got a signalized intersection, direct access to I-85, and then also a roundabout more than likely north of that location. While I will be the first to admit that absolutely the current residents will see an increase in traffic, I mean it's the truth. I'd be lying if I didn't say that, but that traffic is what a lot of us deal with. This area has been blessed to have fairly low traffic counts. Through discussions with Mr. Parker as far as engineering goes, it's our intention to place turn lanes at both access points both onto Ridge Road as well as on Uniroyal. If it was something that we possibly needed to look at the Ridge Uniroyal intersection as well, if that was a concern that's something that we could certainly look at and put traffic counters out and see if there's a need for a dedicated left there or something like that that's really not an issue from our end. One concern that I heard was the potential for this to be rezoned again at some point in the future to a multi-family product and while it's easy for me to say that's certainly not the intention, if it was the intention it would be shown on there, but I'd like to reiterate that any change like that is a full rezoning. This entire process we would have to go through again. There would be a full rezoning process, go to public notice again, have to be advertised, have to come back before Planning Commission, and ultimately City Council. The developer of this project is a single-family builder that's currently developing and building in Town Lakes Subdivision. Hopefully the intention here is once Town Lakes has reached its limit of available land for Town Lakes to move across the road and do it again right here, so I don't perceive that being an issue. The lot size is one of truthfully functionality of the lots these days. This commission heard me two months ago talk about a development that was coming in that was trying to go in the other direction. They were trying to market to a buyer that desired a larger lot, but we see the large percentage of single-family buyers especially young families these days don't want those bigger lots. I understand that there are neighbors in the area that yes, some are large landowners and some are single family landowners on larger lots. This type of development is needed and is necessary in the City of Opelika the question is, is this the right location for it because the younger buyers want that smaller lot. Most of them don't even own a lawnmower anymore. They don't want to own the weed eater, they don't want to own a lawn mower, they want to pay somebody 20 dollars to cut their grass because they want to be out

doing something else. So, the trade-off to do that is to go with this open space. That's when you start having larger open spaces, larger amenities, dedicated HOAs that have an amenity site that is large enough to actually be utilized more than just a pool and a small bath house. When you start having this kind of amenity site you start being able to do acreage that can actually incorporate outdoor activities so that is the trade-off for this type of development which is what Mr. Mosley was referring to earlier about the density. This is actually below the density for an R-2 zone because of the open space being right here. That's the difference here and I can completely understand it as far as the erosion control goes. That's on the developer, that's on me, and that's on City staff to properly design and review and approve construction drawings in such a manner that those items are taken care of. That's a function we all deal with on every development. I'd be happy to answer any questions.

Mr. Parker, City Engineer, stated I'll add a little bit to what Blake had said speaking of the current capacity on North Uniroyal Road. The typical capacity of a two-lane road with 45 miles per hour is 12,000 to 15,000 cars per day. We've done traffic studies out there for a bridge project down south close to 280 and also up north and the current capacity traffic is 4,000 to 6,000 cars per day so we're looking at half the capacity of a two-lane road. Adding 300 some odd houses, I'm not a traffic engineer and I haven't done a study, but I would say that this would add a couple hundred to a thousand per day to this number. One of the main concerns that we look at with a development like this is access to that main road such as the new access to North Uniroyal Road, access to Ridge Road, and then again the access from Ridge Road to North Uniroyal Road. One way you can mitigate that access and make it safer is to add right turn decel turn lanes and protected left turn lanes into this development. In the past, we've worked with developers with or without a traffic study to illustrate this, so this is certainly going to be a requirement for two if not three of these intersections as we go through. The storm water study is done at a later phase as the surveying and design and all that progresses. Typically, a developer is not going to invest the capital to do that if this isn't worthy of approval. So, once this goes forward then they will invest the capital in doing a more detailed grading plan, a stormwater preservation plan, whether it be the detention or utilizing the existing ponds, and things like that. Just like Blake said, those are turned into city staff, reviewed, scrutinized, approved, and then we'll also be on the construction side of it to make sure they are maintained properly. The city does have roadway improvements planned as Blake mentioned on North Uniroyal Road. We're going to widen the bridge closer to U.S. 280, we're going to improve the intersection at the signal at U.S. 280 with the right turn lane, also across the interstate we have a roundabout that's being designed at Sportsplex Parkway so there are a lot of improvements because we anticipate growth out in this area. There's current growth and we anticipate more growth in this area because of the popularity of this area. We anticipate the city growing in population smartly and wisely. That's what we anticipate as city staff to help the developers and help the property owners that want to develop their property develop it in a wise manner. That's what we have consistently seen with this applicant, with this developer, and this builder. These comments will also go forward to the next item which is the preliminary plat of this subdivision. I will be glad to answer any questions.

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

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

DISCUSSION: Mr. Silberman stated I remember vaguely the discussion about rezoning a year ago. Is this the same piece of property?

Mr. Mosley stated it is almost the same piece of property. I believe there is a small little cutout here that was not in the original approval last year, but it's pretty much the same property. I'd say a majority of it is.

Mr. Silberman asked I've heard some good comments about why we might want to move forward with this but what were the arguments against it last year?

Mr. Mosley stated last year you had a development that met the R-2 requirements. There were less lots, and I think you have a lot of the same issues which were traffic, erosion controls, stream protection, and things along those lines. I think some of the people who spoke at this meeting also spoke at that meeting with their same concerns. Now, what has happened since that point is the previous applicant has gone away and so this is a new applicant with a new request and that's why you see the change in both size of lot and development.

Mr. Silberman asked but it's basically the same negative arguments about the property?

Mr. Mosley stated yes sir, as Dr. Mitchell mentioned you do still have some topography changes which that along with the streams is always a concern as far as looking at making sure we're protecting those streams and the water through there. That's what Mr. Parker and Blake Rice would be tasked with if this is approved, making sure that we have the current regulations in place and the current procedures in place to prevent that.

Mr. Silberman asked but that's also where ADEM steps in and has their own state regulations?

Mr. Parker stated we are in between them and ADEM. ADEM is above us, so with the city staff we have a permit through ADEM. We would rather us handle all these situations before it gets to the severity of ADEM. We're competent and equipped to handle all these situations within the same staff. We've been doing this and certainly have improved in this over the past six to eight years.

Ms. Cannon stated I see this plat laid out flat. Did you work it around the topography too or did you just say here's a street right here?

Blake Rice stated no ma'am, when we do this work for this particular developer they do something that I don't see out of really any other developers. What they do is before they get involved in a piece of property they hire us to actually do preliminary engineering which is a step much further than a single sheet of paper. We actually have a preliminary grading plan on this, it's very preliminary but what it does is it tells us what's realistic. You'll see some of these lots are deeper than others, some will have rear slopes, some will have cut slopes, some will have fill slopes, and so that's why those lot changes are shown on there. The roads have been looked at to make sure that, should this get approved, I'm not going to come back here in three or four months once we start engineering and go well that road layout was wrong because of the topography. That's all already been taken into account.

Ms. Cannon stated I think it's a lot of lots and a lot of people for an area that size.

Mike Harris stated I just have an engineering question. Did you say that 12,000 cars are acceptable per day on a two-lane road?

Mr. Parker stated that is the acceptable capacity yes sir.

Mike Harris asked what is the noise level, the decibel level?

Mr. Parker stated we don't calculate that.

Mike Harris asked so sound doesn't matter?

Mr. Parker stated you have the interstate within a quarter of a mile of your house also and that's more sound than this road would produce.

Mike Harris stated no. Are you willing to do a sound test?

Mr. Parker stated that's not part of our requirements.

Mike Harris stated it needs to be.

Mr. Parker stated if you do that then we should have requirements on vehicles not making so much noise. There's a lot you can go into that would just open a Pandora's box because you start then regulating radio loudness, muffler loudness, tire loudness, and those are things that engineering and traffic transportation engineers don't get into.

Mr. Silberman asked does the developer have an objection to putting a second entrance in at the turn up at the top right?

	Mr. Parker stated that would be too close to the Ridge Road intersection.
AYES:	Chairman Cherry, Director Hilyer, Mayor Fuller, Sweatman
NAYS:	Cannon, Whatley
ABSTAIN:	Ira Silberman, Councilman Ward 1 Willie Allen

2. Laurel Lakes SD (Flatiron Farms), 376 lots, North Uniroyal Road and Ridge Road, Blake Rice, Preliminary Approval

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

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

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

Mr. Parker reported for Engineering, the 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.

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

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

Chairman Cherry opened the public hearing.

Dr. Alfred Mitchell (Sonny), 703 North Uniroyal Road, stated he brought up one interesting thing when he mentioned utilities. How are they going to sewer this place? Has that been determined yet? Because that is a utility thing. In general, we've already talked about the lot size and obviously a lot of those around there would like to see bigger stuff I think for the most part and I know the engineer said that everybody wants smaller lots these days. Well, I'm sure some do, but I also think people buy what's made available, so if we do nothing but smaller lots what do people have available to buy? So, at the very minimum on this plat can we at least see some variability in size in this thing if this is going to go through? Growth is great for Opelika, I get that and again I'm not against developing that, but it needs to be controlled. Understandably, a developer's motivation is to make as much money as he can per dollar of infrastructure and property that he puts in it, but I'll argue that's not always consistent with the greater area or the greater neighborhood. There could be some moderation there and I think in Opelika we need to see that. We can have a mix out there can't we? Does it all have to be like this? There are other motivations and of course we all know that motivation usually is money and that's understandable, but I wish you guys would consider that in your planning capacity because Opelika is a great place. I love Opelika, I've been here most of my adult life, but especially out there or anywhere we need a diversity in lot size. Consider that, because it's not all about how many lots you can get on the smallest amount of area because we know whose motivation that is, but that's not always in the best interest of the citizens or the people that live out there. Thank y'all.

Heather Fields, 2330 Ridge Road, stated when I bought my house in 2001 at 10

acres, the realtor took me to Auburn and showed me every house she could, but the neighbors were right next to each other where you can look in somebody's window. That's not what I wanted, but I couldn't find anything else other than this house that had acreage with it. I think that just like Mr. Sonny just said, if we offered it to people they would be happy to have it. I told you I had friends that had to go out to Waverly to buy land. I had friends that went down towards Beulah to buy land because they couldn't find land in Opelika proper. If we had bigger lots, I think that would appeal to a different set of people. I know we talked about the different options for the noise barriers and such where there's a fence and a row of trees, two rows of trees, 20 feet of undeveloped, or whatever. I'd like to know what that was going to be, and I'd also like to know what the HOAs say for this subdivision. I'd like to know that they're not going to be able to junk it up. I would like to know that it was going to be a nice neighborhood and mainly, I would like for it to be larger lots. Thank you.

Cassie Pruett, 2104 Ridge Road, stated I just have a few questions about the natural barrier. You said it was going to be 25 feet. Is that going to leave the trees that are there now or are you guys going to be tearing and putting up new trees? Does anyone know? I know this is preliminary.

Mr. Mosley stated I'll let the applicant speak to that, but what they put in the application is an undisturbed buffer which would typically mean that they don't do any tree removal or grading on it.

Cassie Pruett stated all right and the road that you guys have a little further down on Ridge Road, that wouldn't be moving any closer to Uniroyal would it? Is that a set road that you guys plan on putting in?

Mr. Parker asked the access to Ridge Road?

Cassie Pruett stated yes.

Mr. Parker stated I think it could move closer to Uniroyal but that's totally up to the to the designer on that.

Mike Harris, 1000 North Uniroyal Road, stated Federal regulations are already in place for a 73.5 decibel noise level. The state of Alabama calls noise levels within cities at 75 decibels a nuisance and is already regulated within the state of Alabama. Because there's evidently not a regulation within Opelika, it doesn't mean that noise levels aren't a nuisance and aren't a concern to people, because you have federal and you have state regulations already in place. I would just ask that the city does the noise level check on Uniroyal Road currently. With concerns to that bridge that you're talking about redoing, it has a tonnage weight limit on it already and we still get log trucks running up and down the road. Again, going back to the noise level, it's already posted no through trucks. Having been a truck driver for 50 years, I know what's going on up and down that road. All I'm asking is to get the noise reduced and you don't have to worry about trying to regulate people's mufflers and this and that, you just simply put a speed bump someplace and folks will eventually slow down. Thank you.

Fred Cotney, 2704 Ridge Road, stated I do have a concern about the entrance off of Ridge Road. I think they need to look at that because that's a blind spot. That's

right where my driveway comes out right above there and in that curve right there you cannot see somebody coming that way towards Uniroyal Road. If you get that many people coming out there somebody's going to get killed. I don't drive 45 miles an hour either, I drive 50 or 60 miles an hour down through there and I know everybody else does too, so when they round that curve and then people are coming out of that subdivision, somebody needs to look if they have to have an entrance and exit there. They may need to move it a little further down the road because I think you're going to find that that's a dangerous spot right there, it's a blind spot. The other thing is, going out on North Uniroyal Road out to Hwy 29, the city needs to fix that intersection. That's the most dangerous intersection in the world right there because people don't know what to do when they get there. You have a straight road going through there but the ones coming up Ridge Road have to stop, and people don't know coming from the interstate that they have the right of way to turn down Hwy 29. It's very confusing. I go that way to work every morning and people sit there and don't know what to do. They'll be coming from the interstate out that way and they'll stop because they think you're going to come right on across. Well, you have a stop sign and they don't. They have the right of way to turn in front of you and it's very confusing. You're talking about the roundabout, that doesn't have anything to do with us it's on the other side. It definitely needs to be fixed because since they cut that road across over there, people don't know to stop there too and there is no telling how many accidents already happened there. Yes, that definitely does need to be fixed, but that's not going to help our traffic problem. Thank you.

Mr. Parker stated Mr. Cherry the intersection that he's talking about on Hwy 29 on this side of the interstate is ALDOT controlled. ALDOT set that intersection up the way they did, so all the changes will need to go through them and they will need to initiate them. The intersection of the new subdivision to Ridge Road, in reference to that curve, stopping sight distance is very important for this location and we'll make sure the engineer looks at the stopping sight distance at this curve to make sure that it meets all standards for 45 miles per hour.

Chairman Cherry closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

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

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

Mr. Mosley reported 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 approval subject to the following:

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

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

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

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

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

Chairman Cherry opened the public hearing.

Beverly Floyd, 104 Cove Creek Drive, stated this entryway into these townhouses would be part of Cove Creek Subdivision because you come into it through Cove Creek and up Marvyn Parkway and that makes it part of our neighborhood. We do not have any townhomes in the neighborhood. We have single-family dwellings and our homes rank in price from 250,000 dollars and up. In addition to that, we feel it could decrease our property value. We also have concerns that the City is planning to sell the land behind my property as industrial property which could negatively impact the values of our homes. The neighbor directly beside me has a concern because the alleyway would be directly behind his driveway so in order to back out into our neighborhood, he's got an alleyway now with at least six vehicles. If this does go through, we would like to see something other than just shrubs in that buffer because townhomes are not what's in this neighborhood and we don't want that to be the first thing you see. There are some concerns about the use of it and how it will impact our property.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Director Mike Hilyer
DISCUSSION:	Ms. Cannon stated there is no directional arrow on this plat. Mr. Mosley stated North would be at the top of the page and we will make sure that that is on any final plat if it is approved.
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

4. Cove Creek Phase 1, Redivision of Lot C, 6 lots, 3900 Marvyn Parkway, Brandon Kohn and Jon Williamson, Preliminary and Final Approval

Mr. Mosley reported 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.

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

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary and final plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: Mayor Gary Fuller

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

NAYS: None

ABSTAIN: None

E. FINAL PLAT

5. Hidden Lakes 3 SD, 91 lots, Hidden Lake Drive, Blake Rice, Final Approval

Mr. Mosley reported 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.

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 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.

Mr. Hilyer stated we need video footage on the sewer lines, street signs including stop signs, and asbuilts.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible by a water main in the R.O.W. of West Point Parkway.

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: Mayor Gary Fuller

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

NAYS: None

ABSTAIN: None

6. Foxrun SD, Phase 1C, 42 lots, Village Drive and Burrow Circle, Daniel Holland, Final Approval - *Tabled at the October 26th PC meeting*

Mr. Mosley reported the applicant is requesting final plat approval for a 42-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.**

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 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.

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

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

Mr. Hilyer stated we need to complete the vacuum testing, video footage on the sewer, street signs, and asbuilts.

Motion to grant final plat approval with staff recommendations

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

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

NAYS: None

ABSTAIN: None

F. CONDITIONAL USE - Public Hearing

7. Richard Patton, 408 1st Avenue, C2, Multi-Family Residential

Mr. Mosley reported 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.**

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

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.



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

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant conditional use approval with staff recommendations

RESULT: Passed

MOVER: Mayor Gary Fuller

SECONDER: Director Mike Hilyer

DISCUSSION: Mayor Fuller asked will the parking adjacent to Stern Park leave enough room for traffic on 1st Avenue?

Mr. Parker stated it will. We can maintain the minimum 22 feet of roadway. He will have to add some asphalt between the existing curb and the sidewalk so he will have to expand it. It's very similar to what was done on the other block. It will have to be expanded in order to provide minimum roadway width as well as minimum parking space requirements. You have to add five feet to get a nine-foot parking space.

Ms. Cannon asked have you thought about doing five of them so that you can still get enough parking on the lot?

Richard Patton, 108 South 8th Street, stated there is a development like this in Bentonville, Arkansas and it is a small pocket neighborhood just like this. We pulled the architect in and we liked the way they used the space so this was on their recommendation from doing this in Bentonville. Some of our affiliates have been there and seen what they've done there. We are open to an adjustment if needed. We like what this does with the floor sizes, one bedroom and one and a half bath and it has a loft for a little office and extra guest area. That size does sell

pretty well and then adding the two bedroom and two and a half bath we feel like it's a good mixture and good use of the space. We haven't even put dollars and budgets to the build out. This is just use of the space right now and we think it would look nice, but we're open to making it work.

Ms. Cannon stated I like the house design. It's for younger people and younger people are so much more social which presents a parking problem if you have a spouse and friends coming over but only have one parking space.

Richard Patton stated we are kind of basing what we think the product should be off of other experiences in towns that are similar which is walkability. Typically, those young people are one car families. There is also a walkable demographic that would happily park downtown and walk to those houses. We think the six spots plus the six on the road will work for who lives there and for being social. I think if somebody has guests over, they are just going to have to say, 'you may have to park a block away and walk over' and I think the typical buyer is used to that.

Mr. Silberman asked will you be selling them as individual units or as two units?

Richard Patton stated they would be individual. We feel like it is better for that area to be individual homeowners and we think that would start squeezing in some more people that are the type of people that are going to want to go and spend some money downtown.

AYES:	Chairman Cherry, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	Cannon (Due to the lack of parking).
ABSTAIN:	None

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

Mr. Mosley reported 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:

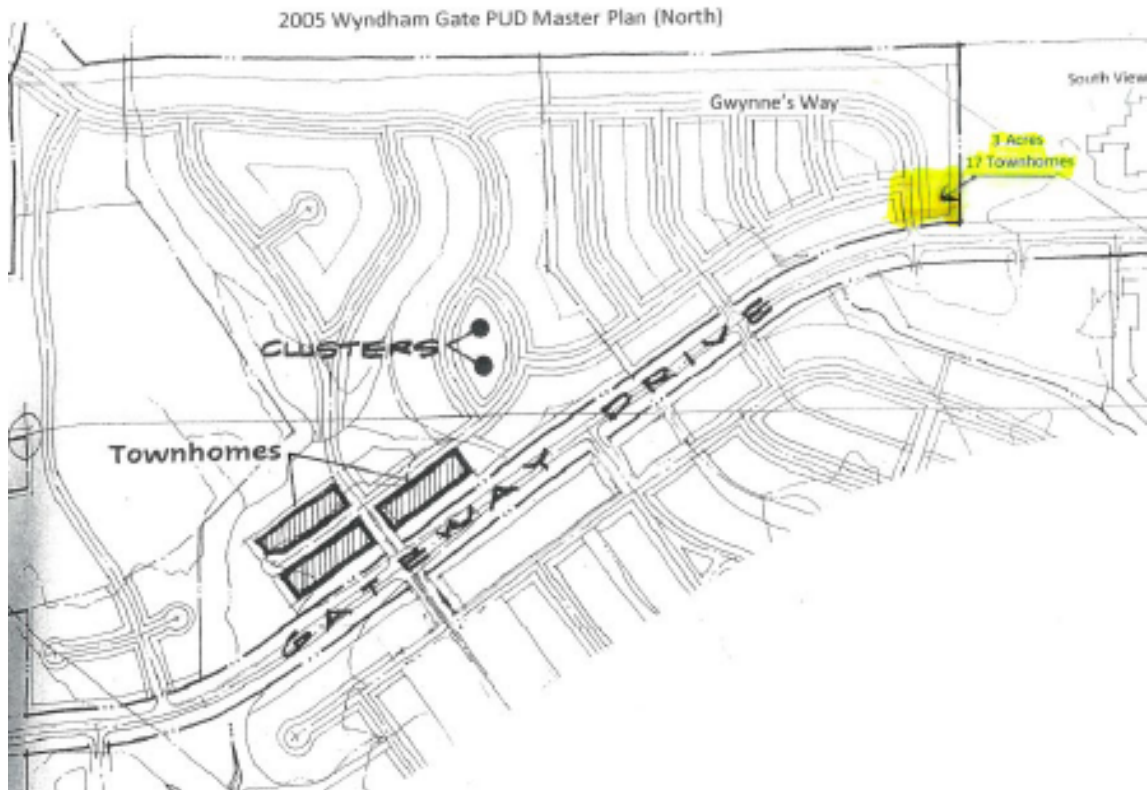
1. Townhome Development Standards and Landscaping Regulations must be followed; residential buffers are required between the adjacent properties and the 3 acre townhome development as provided in the Zoning Ordinance.
2. Staff recommends the buffer installed along Gateway Drive as provided on site plan.
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.

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 Master Plan Revision.

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

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



Chairman Cherry opened the public hearing.

Susan Brinson, 2705 Jennifer Court, stated I'm number 10 on the map. When I bought my house just under four years ago the house was for sale for one day and they got four offers in one day. Mine was the winning bid fortunately. Since that time, at least seven or eight times a year I get a letter from different realtors saying that they have people who want to buy houses in Wyndham Gates. Those two facts tell me that I spent my money wisely and I made a good decision to buy a house in Wyndham Gates. I have to tell you also, that when I look out my back door I see trees. All of us on Gwynne and Jennifer Court when we look out our back doors see trees. We don't see the back of someone's house, it's really great. I'm concerned that if this proposed 17 town homes are approved then my decision will not have been such a wise one, because when people

look out the back door they'll see something that nobody else in Wyndham Gates sees, which is a series of townhouses. So, for that reason I would ask that you not approve this. The other is according to the plan there's only 20 feet of buffer between the back of all of our houses and these town houses, which is not nearly enough. I think I speak for all of us in this area that we would really rather this not be developed at all, but we know that that's going to happen. There's nothing we can do to stop the development. We do ask however that you maintain what the site was originally planned for, which is single family homes, so when and if the time comes for me to sell my house, what's behind me will be entirely consistent with what is in the entire subdivision which is single family. Thank you.

Debra Payton, 305 Gwynne's Way, stated I agree with Susan. The reason we bought that property two years ago was because of the trees behind us. It's a very relaxing atmosphere, we've got nice size lots and a cul-de-sac down there. I understand it's going to be developed, I guess our main concern is that it will stay single-family homes as originally planned. My question to the developer would be, in that buffer will it remain a natural buffer or will some of the trees at least stay and separate us from that development whether it be town homes, hopefully not, or single-family homes? We moved here from Las Vegas, so we wanted some peace and quiet and we certainly got it there. I agree with Susan, right now when houses come up for sale, they're there on the market a day and then they're gone. It's a very good place to live and we want to keep it that way and keep it attractive. Thank you.

Mike Coates, 2707 Jennifer Court, stated it was kind of a bad day when we went to the mailbox a couple of weeks ago and found a letter that said that someone wants to build a development literally in our backyard. That was not a good thing and we were just like the two ladies that just spoke, we'd like to keep things as they are. One concern I truly have is that it seems that the properties that are adjacent to this development tend to hold water quite easily. My yard does in the backyard, and I think some of the others do and I'm a little concerned about making it worse. We would also agree that we want to keep this to a minimum if it has to happen. Thank you.

Greg Dewberry, P.O. Box 156 Bremen, GA, stated I'm an engineer and a land surveyor representing Mr. McDowell. Thank you for letting me be here tonight. To answer some of the questions, yes, the buffer that's there will be a natural buffer in that we will not destroy it. What's there now will be left intact and I can appreciate the fact that when you bought there it was heavily wooded. It's been like that for almost 15 years now. If you think about it, this project initially started in 2005. It went under during the housing bust and my client picked it up around 2012. It took him about two years to get everything going and get rebooted and we started appearing before you at the end of 2014. So, it's been a seven-year process and I see many familiar faces here, but in that seven-year process and that seven-year time frame we have built 309 single family homes. This parcel has always been an orphan in that originally it was supposed to be an initial entrance into phase one, but we were asked to locate it further down Gateway Boulevard. When we did that, that left this piece here but what were we going to do about it? In the last two years we've worked a lot with Mr. Mosley, and I appreciate everything they've done. We've floated all kinds of ideas from strip shopping like a family restaurant and dry cleaners and car shop, we floated the storage idea, we've just been trying to find the highest and best use for this three-acre piece. If it were to go back to single-family that would be fine, but it kind of backs up being that that's what we initially planned, and it would be a lot better if we would have stayed with that because now we've kind of blocked ourselves off. We're just glad to come in and have a bubble

cul-de-sac and sprinkle three or four lots around it and that's all we can do now. I think that would be the only problem that my client and myself have, that initially that's what was planned was a part of the development. We moved the driveway down the road and now we're left with this piece. So again, townhomes seem to be the highest and best use for the three-acre piece. It has lots of encumbrances, the 60-foot development strip on Gateway Boulevard is a hindrance of course, and it's already a detention pond there for part of phase one Wyndham Gates development that we had to deal with so those two things kind of whittle the site down tremendously and kind of box you into what you can do. But if it's the Council's and Planning Commission's opinion that we need to stay with single-family housing we'll do that again. It just seems like it's backing up a little bit to us in that that was what was originally planned and then we were asked to change and now we're being asked to change back to it. The only problem is here again we kind of painted ourselves into a box because lot 15 was created and there's actually a homeowner in it now. If it was for sale or something it'd be possible to bring that street out but now there's a home there that kind of blocks us. Thank you.

Mr. Mosley read the following four letters from adjacent property owners:

Brenda Harris, I live at 2709 Jennifer Ct, AL 63804. This has been my home since 2012. I am against building townhomes behind my property. However I am in favor of single-family homes. I have a spinal and balancing condition and will not be able to attend the November 23 meeting. Please speak on my behalf voting no for building townhomes behind my home.

Lani Davis, I am the resident at 307 Gwynnes Way and am contacting you to register my strong opposition to the proposal to place 2 story townhomes in the property in back of my home. I have lived through this once before in Montgomery, AL and can attest to the fact that even privacy fencing is not shielding a one story dwelling from the higher elevation homes. And it ultimately depreciates property values on existing properties. Almost my entire window view is across the back of my home which would mean those higher elevation windows would present a privacy issue. If any building is done in that area, at the most, one-story homes alone should be erected to accommodate privacy fencing. Even so, this will decimate the wooded area currently there.

David Didion, I reside at 304 Gwynnes Way, Opelika. I have been a homeowner for over five years in Wyndham Gates and I am writing to voice my concerns regarding the proposed new development plans for my area.

I am not unmindful of the fact that the developers who own the property are fairly free to do as they please. I am, however, opposed strongly to adding townhomes to this residential, single-family home subdivision.

I would prefer the land remain undeveloped as a buffer for the upcoming commercial expansion, but the reality is you either can't or won't stop the property development. If development is inevitable, I prefer the construction consist of single-family homes and not townhomes. Selfishly, I want my property value to keep increasing as it has and the addition of townhomes will affect that value. I thoroughly enjoy the diversity of my residential area. People take pride in ownership and it's reflected in the appearance of our homes. That will be somewhat blunted by building townhomes in the midst of the single-family dwellings. For these reasons and other safety concerns I'm asking that if construction has to occur, it manifest itself in single-family homes only.

Thank you in advance for your consideration.

Alex Youssefi and Mary-Elizabeth Youssefi, we live at 301 Gwynnes Way in the Wyndham Gates Subdivision. We were invited to a planning commission meeting tomorrow at 3:00; however, neither of us can attend due to work schedules. In lieu of us being in attendance, we would like to use this email as our rejection of the newly proposed plan to build the 17 townhomes. We are in favor of the original plan to build single-family homes.

Please let us know if you have any questions or concerns.

Chairman Cherry closed the public hearing.

Motion to send a negative recommendation to City Council

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

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.

Mr. Mosley reported 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.

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 Master Plan Revision.

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

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Ms. Cannon asked is this a recommendation to City Council?

Mr. Mosley stated no, this is so minor that it does not require going to City Council.

Motion to approve the amendment to the Master Plan with staff recommendations

RESULT:	Passed
MOVER:	Lucinda Cannon
SECONDER:	Mayor Gary Fuller
DISCUSSION:	Mr. Silberman asked the original plat included an assisted living facility. Does this in any way affect that? Mr. Mosley stated no sir. You still have the assisted living facility here, which will be the main building in the middle. What has changed, and this was approved by the Planning Commission, is there are more independent living units out there that you can transition from one into the main building. This wouldn't change the number of units.
AYES:	Cannon, Chairman Cherry, Whatley, Silberman, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS:	None
ABSTAIN:	None

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.

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 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.**

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

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

Opelika Power Service territory.

Chairman Cherry opened the public hearing.

Mary Couch, 3100 King Avenue, stated my house backs up to this property and I came home from work and all the trees that were supposed to be left had been mowed down. There were a few left and then I came back on a Tuesday and there was a backhoe pushing the rest of them down. So, now we have a very clear view of all the yellow machinery and just a horrible empty spot of dirt. The machines are very loud and up from my kitchen window I see nothing but red dirt and there used to be beautiful hardwoods. I understand that the buffer was not respected for whatever reason and my concern is how long will it take for this to be amended? What are the plans to fix this? Thank you very much.

Monty Couch, 3100 King Avenue, stated I spoke to Mr. Mosley a few weeks ago and he kind of talked me off the cliff when we saw all those trees taken away in the back. I have a huge issue with this. I kind of got a chuckle when this gentleman said that they were going to have a buffer for that property and I'm sure he means that, but what ends up happening is we get 30 or 40-year-old trees that are removed that gives us a beautiful buffer. They literally took every blade of grass, every twig, every 30 or 40-year-old tree that was our promised buffer for 25 or 30 feet and they took it completely to our fence line. We're upset, of course we're not near as upset as our dogs are, and the fact that they want to build a dog park over there is not a good enough consolation for us. We need a buffer that is comparable to what we had, because we were promised when they started clearing the property that they were going to maintain that buffer. They came to us and said that we are going to maintain this buffer of what we had then which were 30 and 40-year-old trees where the turkeys nested and now, we don't have a thing. That goes not just for our three-acre property, that goes for the 12 or 15 houses up and down King Avenue. It's just horrific. We have a great friend that bought a house there on the corner where they're putting that road up Hammonds in there and it just ruined her property. She had all these beautiful trees, and they just took it and just devastated her property. I don't know how they can save her property for her. I would just like to know what kind of buffer there's going to be. If we have to wait 20 years for the buffer to grow in that's not a solution to what we had. Thank you.

Clay Cardone, 2306 Cunningham Drive, stated my concern is what has already been expressed, the violation of their property. I live on Cunningham Drive and I have been there for 20 plus years. I have seen the traffic over there increase significantly to where I can't even cut the grass out by the road without having to stop for cars about every two minutes. I know that you add all these households, all these vehicles in this area, and I know there's plans to connect Cunningham Drive over to that area, I think there's going to be an absolute traffic boggle over there. There's already one created. There are no more roads or any planning to be put in, there's no wider roads planning to be put in, I think you're going to have a traffic congestion that's just going to ruin the first piece of property that you come into out of Auburn. I think that this development is a shame that they couldn't develop it to more of a traditional single-family home development. The land is 23 or whatever acres, they can do that, but they're going to cram in all these mixed developments, these town homes. It's just a shame that Opelika is going to once again probably take a step backwards to Auburn as opposed to a step forward.

Mr. Mosley stated in looking at the way that this was presented earlier, I too thought that that was going to be a 35-foot undisturbed buffer. In researching through the information that I received it never does say it was completely undisturbed, it was just a 35-foot buffer. That partially probably falls on my responsibility for not ensuring that that was clarified one way or the other. What we've said is basically any buffer that's in here has to meet the residential standards based on our recommendation and what was previously approved and that is still the case so they would have to go back in and replant everything that is required in here. I don't know what specific conversations they had between the applicant and the adjacent property owners about whether or not that was going to be undisturbed or if it would be just a replanted buffer. It sounds like they thought that it was going to be completely undisturbed as well. What can occur here is, if the Planning Commission does approve these amendments, they could approve it with the same recommendations for the buffer that was previously there which is a residential buffer against those areas and it's at least 35 feet in depth. Or, the Planning Commission could recommend a buffer that is larger than what is the standard requirement of our residential buffer. Your options are basically to approve it, deny it, or recommend additional conditions that could help alleviate the concerns raised by the adjoining property owners.

Chairman Cherry asked does this go to City Council?

Mr. Mosley stated no, this is a minor amendment so this would stop with the Planning Commission.

Chairman Cherry asked so the Planning Commission handles it?

Mr. Mosley stated yes sir. Because they are not reducing open space, the open space actually does increase with this. They're not going to a more dense development or more dense housing type so the housing types, although they're changing, are less dense in nature. The overall development is less dense, so this is a minor amendment still. In this case, you would not make a recommendation. You could either approve it, deny it, or approve it with an additional buffer if that's what you so choose to help with some of those issues.

Mr. Silberman asked is that legally binding or can they walk away from the project?

Mr. Mosley stated they can always walk away from a project, but if they develop it has to be developed under the conditions set forth by this Commission and City Council. We don't have any mechanism in the City of Opelika, unless it's done through a conditional use or through a master development plan or some other condition of the board, there's nothing in our regulations that says that you have to preserve trees right now. So, unfortunately unless it's a condition of approval we can't say that they have to retain the existing trees on the property. But if you approve it with a specific buffer, then if they develop that property it has to be developed to that level.

Mr. Silberman asked so that is binding?

Mr. Mosley stated yes sir.

Chairman Cherry closed the public hearing.

Ms. Cannon made a motion to approve the Master Plan revision with staff recommendations and a larger buffer. She asked for help in what specifics should be addressed.

Mr. Mosley stated currently on that side it's shown as a 35-foot buffer. The typical residential buffer requirements are either the 20-foot undisturbed, which of course doesn't really apply in this case because it's already been disturbed. So, we either have a double row of evergreens that could be required, or a single row of evergreens plus a fence, or you could require something greater. It may be worthwhile to see if the applicant has any suggestions.

Ms. Cannon stated I would stay with plantings and not necessarily a fence. I just want to be sure that there are trees and bushes.

Mr. Silberman asked can there be a specific height in the recommendation?

Mr. Mosley stated yes sir, you could require plantings that would reach a specific height.

Ms. Cannon stated all right well I'm not going to get into that because I don't know how to get into it. I just know what I'd like to look out of my kitchen and see and it wouldn't be a fence it would be plantings.

Mr. Mosley stated I could recommend that you could require either the plantings to exceed the current residential buffer yard or to be one and a half times the planting requirements of the current residential buffer yard which would be typically three layers of evergreens and those are required to reach six feet within a certain period of time.

Ms. Cannon stated the one and a half is fine. It's a fine line between working with the developer and working with those who are living there. I'm not trying to get in the middle of that but I'm just trying to give some protection back. I know what it's like to clear-cut things. I do it, but I don't do it in a neighborhood.

Mr. Silberman asked what is the width on that?

Mr. Mosley stated the width currently is still required and shown on this plate as 35 feet in width.

Ms. Cannon asked is that three and a half times?

Mr. Mosley stated this was something that the applicant proposed to us to create a larger buffer. So yes, that would be between, it depends on which size, but yes ma'am typically about three and a half times.

Chairman Cherry asked what is the motion?

Mr. Gunter, City Attorney, stated it would be a motion to approve with staff recommendations and a 35 foot wide buffer with one and a half times the required plantings.

Mayor Fuller seconded the motion.

Mr. Silberman asked can you also request a minimum height of the initial plantings?

Mr. Mosley stated yes sir, if you so choose. Typically, the way our plantings work is it's required to reach six feet within two growing seasons so you could have them come in and plant something larger.

Mr. Silberman expressed concern over the length of time it would take for the trees to reach a good height.

Mr. Mosley stated you could have them plant something that is initially six feet in height to start if that would be more minimal.

Chairman Cherry stated the motion has been presented and seconded and now we have the additional item that Mr. Silberman has requested. I need to go back to the motion to include that item.

Ms. Cannon stated ok.

Mayor Fuller seconded the item.

Motion to approve the Master Plan amendment with staff recommendations and a 35 foot wide buffer with one and a half times the required plantings with the plantings being initially six feet in height.

RESULT: Passed

MOVER: Lucinda Cannon

SECONDER: Mayor Gary Fuller

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

NAYS: None

ABSTAIN: None

11. The Villages at Opelika SD, 126 lots, Hi Pack Drive and Hammonds Drive, Brian Lee, Preliminary Approval

Mr. Mosley reported 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.

Mr. Mosley stated the buffers carry over from last item.

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

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

A traffic impact study 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.

Mr. Parker reported for the Opelika Utilities Board, water service is accessible to this use by water mains on Hi Pack and Hammonds Drive.

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

Chairman Cherry opened the public hearing.

No comments.

Chairman Cherry closed the public hearing.

Motion to grant preliminary plat approval with staff recommendations

RESULT: Passed

MOVER: Director Mike Hilyer

SECONDER: John Sweatman

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

NAYS: None

ABSTAIN: None

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.

Mr. Mosley reported 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.

Mr. Parker reported for Engineering, no report.

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.

Motion to grant approval with staff recommendations

RESULT: Passed
MOVER: Director Mike Hilyer
SECONDER: Mayor Gary Fuller
DISCUSSION: Ms. Cannon asked is this approval for whether there are six gables as opposed to three?

Mr. Mosley stated yes ma'am, and a general change in the building.

Chairman Cherry asked so really all that's being approved is the elevation for the roof?

Mr. Mosley stated and the architectural style.
AYES: Chairman Cherry, Director Hilyer, Mayor Fuller, Councilman Ward 1 Allen, Sweatman
NAYS: Cannon, Whatley, Silberman
ABSTAIN: None

J. ADJOURN

Motion to adjourn at 5:16 p.m.

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

_____ Lewis A. Cherry, Chairman

_____ Matt Mosley, Secretary



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

2642



DEADLINE: 12/22 MEETING: 12/21/21

SITE ADDRESS: Parker Way

PROPERTY OWNER: AU Hospitality (Vic Patel)

APPLICANT/AUTHORIZED REPRESENTATIVE: Vic Patel / Arthur R. Nettles

MAILING ADDRESS: 2431 E. Glenn Ave. #100 Auburn, AL 36830

PHONE NUMBER: 706-761-1844 **FAX NUMBER:** N/A

EMAIL ADDRESS: vic@auhospitality.com

TYPE OF PLAT APPROVAL REQUESTED

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☒ PRELIMINARY ☐ FINAL

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

☐ Annexation ☐ Rezoning ☐ Other _____

PARCEL INFORMATION

Subdivision Name: Opelika Marketplace

Current Land Use: vacant

Current Zoning: C3

Proposed use of the Subdivision: commercial

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

Number of Lots: 3 x \$3.00 = \$ 9.00

Number of APO: 6 x \$7.00 = \$ 42.00
(Adjacent Property Owners)

Fee: \$75.00

TOTAL = 126.00

PAID _____

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Opelika Marketplace 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) Vic Patel

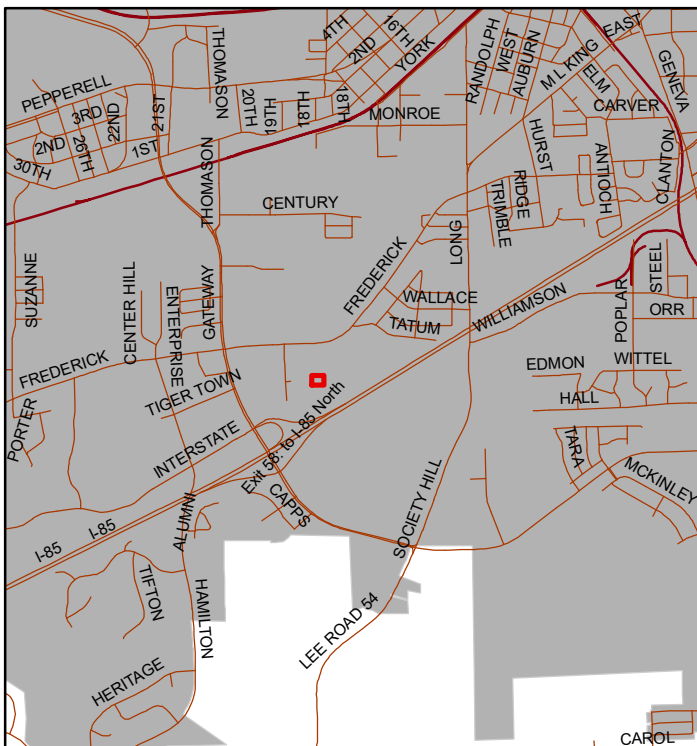
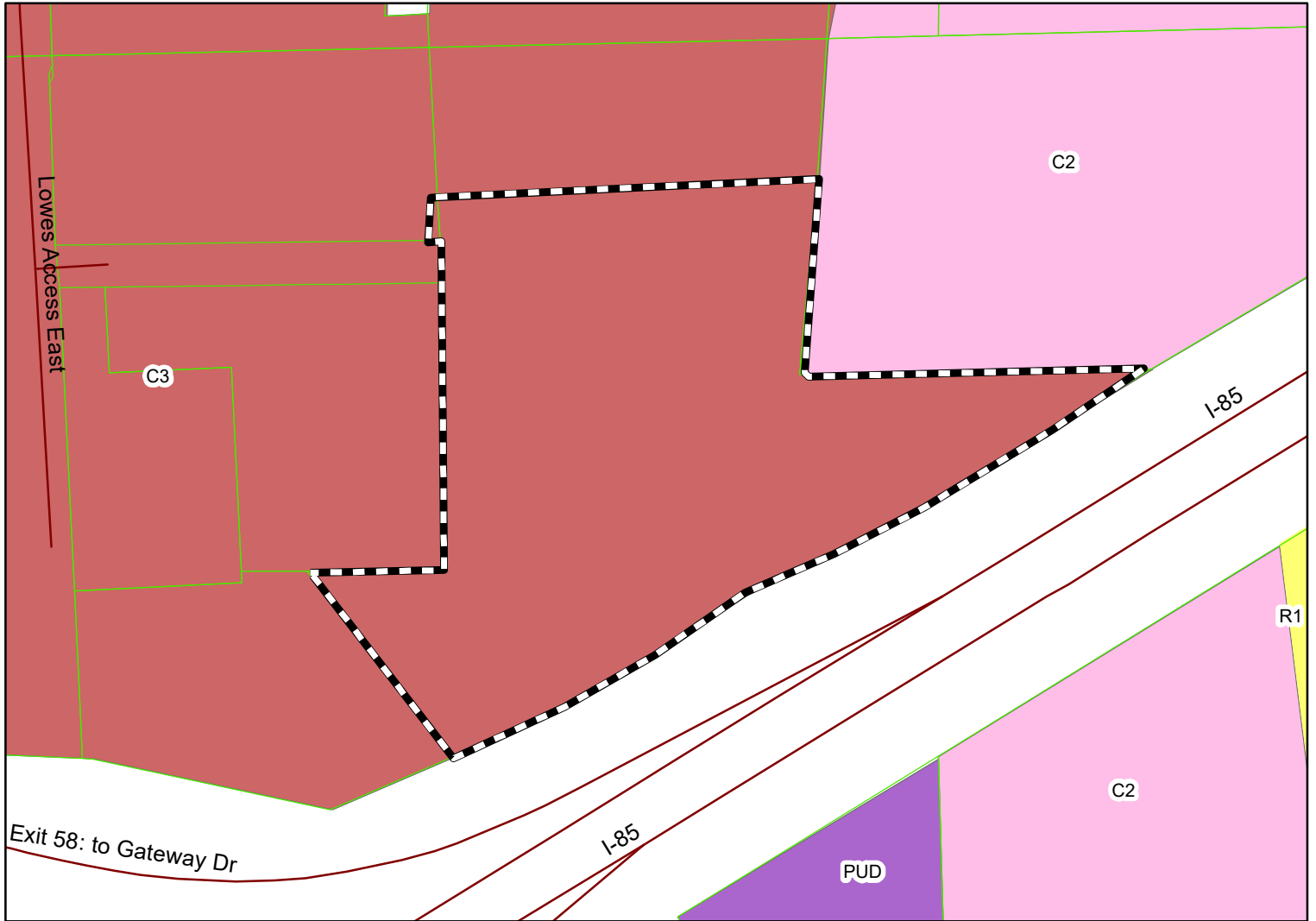
12/2/21

DATE

OPELIKA MARKETPLACE 2ND REVISION LOT 5 SUBDIVISION

PARKER WAY

PRELIMINARY APPROVAL, C-1



The applicant is requesting preliminary approval for four lots. The property is located in a C-3 and C-3, GC-P zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	December 21, 2021
Subdivision:	Opelika Marketplace
Agenda Item #:	C-1
Action Requested:	Preliminary Plat Approval
Location of Property:	Parker Way
Property Owner(s):	Vic Patel Arthur Nettles (Surveyor)
Current Land Use:	Undeveloped
Current Zoning:	C-3, GC-P
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0207G Zone X – An area 0.2% or less annual chance of flood

Staff Comments

The applicant is requesting preliminary approval for a 4-lot subdivision located off Parker Way. The Planning Commission saw a similar request at the September 28, 2021, meeting to subdivide in to three lots. This plat changes the location of the extension of Parker Way. Additionally, the Planning Commission approved a conditional use request for a miniature golf course and restaurant on Lot 5-A-3-B-2-B on October 26, 2021.

The purpose of the subdivision is to create four lots for future developments: Lot 5-A-3-B-2-A is 3.43 acres, Lot 5-A-3-B-2-C is 1.52 acres, and Lot 5-A-3-B-2-B is 2.79 acres. Lot 5-A-3-B-2-C is 1.52 acres and is the subject of a conditional use request for an indoor baseball and softball training facility (Agenda Item C-2). Lot 5-A-3-A serves as a storm water detention area for these four new lots and the other three lots (existing lots shown on the plat). The lots range in size from 1.52 acres to 3.43 acres. These lots meet the minimum 100-foot lot width and 20,000 square foot lot size requirements for a subdivision in the C-3, GC-P overlay district.

A portion of this property adjoins an active mobile home park to the north and northeast corner. However, that property is zoned C-2. Staff recommends a residential zone buffer provided in

Section X Landscape Regulations along the entire length of the abutting mobile home park. (This buffer is shown on the previously approved conditional use for the minigolf and restaurant plan of Lot 5-A-3-B-2-B with 29 Green Giant Arborviate plants and a 6' wooded privacy fence.)

Planning Department recommends preliminary plat approval subject to:

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

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 plat approval.

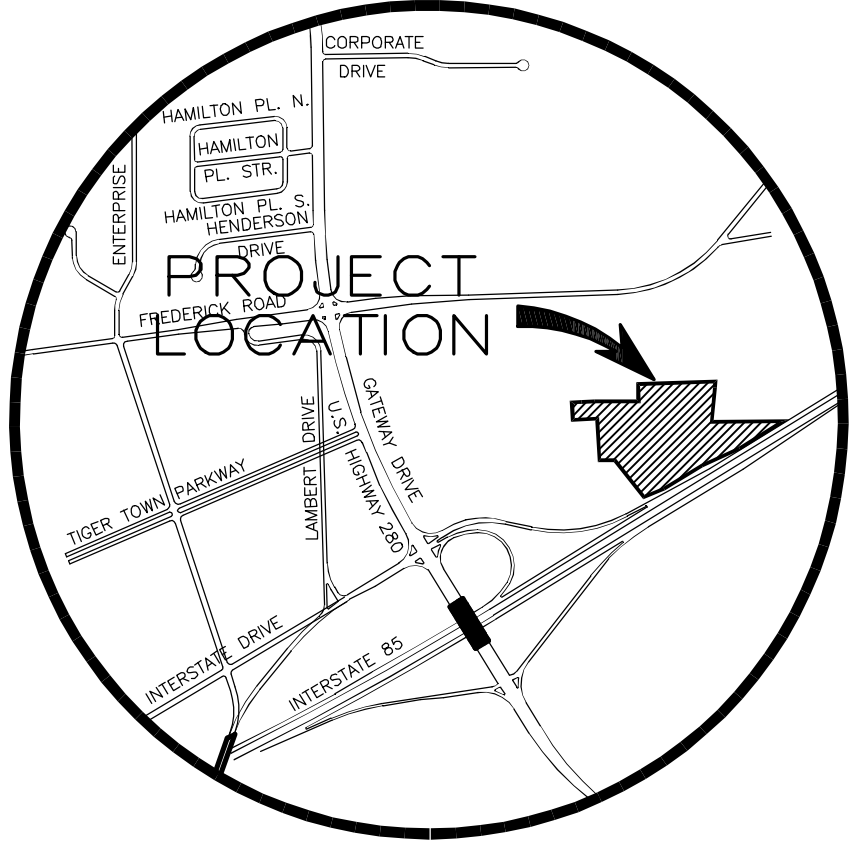
Opelika Utilities Board Report

Water service is accessible by Parker Way.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

REDIVISION OF LOT 5-A-3-B-2
SECOND REDIVISION OF LOT 5, OPELIKA MARKETPLACE SUBDIVISION



VICINITY MAP

NOT TO SCALE

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE ____ DAY OF ____, 2021.

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

OWNER OF LOT 5-A-3-B-2

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF ____, 2021.

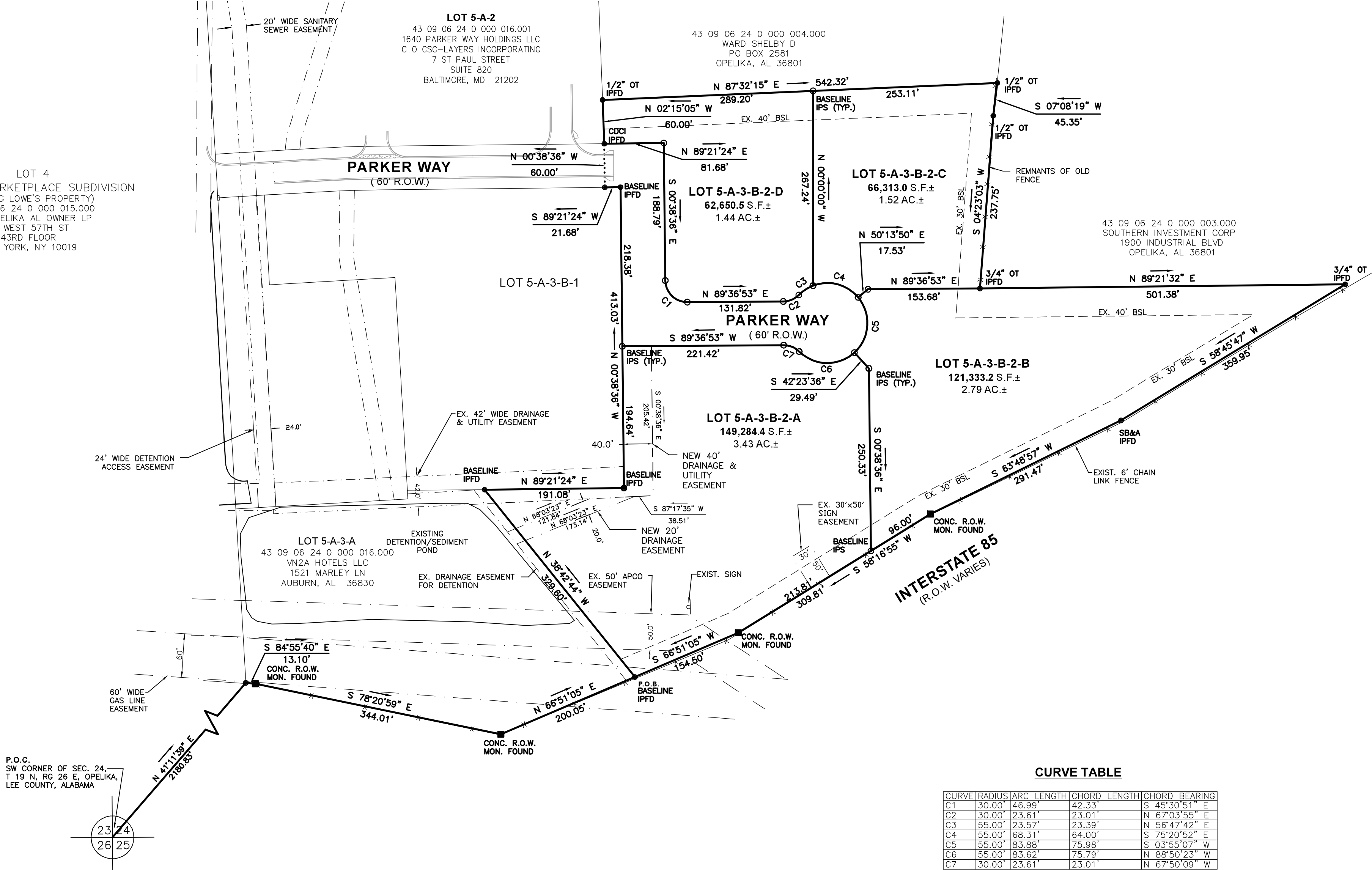
VIRAL PATEL, MANAGING MEMBER
AU HOSPITALITY, INC.

STATE OF ALABAMA
LEE COUNTY

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF ____, 2021.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:



CURVE TABLE

CURVE	RAADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	30.00'	46.99'	42.33'	S 45°30'51\"
C2	30.00'	23.61'	23.01'	N 67°03'55\"
C3	55.00'	23.57'	23.39'	N 66°47'42\"
C4	55.00'	68.31'	64.00'	S 75°20'52\"
C5	55.00'	83.88'	75.98'	S 03°55'07\"
C6	55.00'	83.62'	75.79'	N 38°50'23\"
C7	30.00'	23.61'	23.01'	N 67°50'09\"

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

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

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:
CHAIRMAN:____ DATE: _____

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

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

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

LEGEND

BASLINE PLASTIC CAP ON THE TOP OF 5/8\"

CDOI PLASTIC CAP ON THE TOP OF 5/8\"

SB&A PLASTIC CAP ON THE TOP OF 5/8\"

CARR PLASTIC CAP ON THE TOP OF 5/8\"

RDR PLASTIC CAP ON THE TOP OF 1/2\"

IRON PIN FOUND

IRON PIN SET

CALCULATED POINT

EXISTING OVERHEAD ELECTRIC LINES

EXISTING POWER POLE AND GUY WIRE

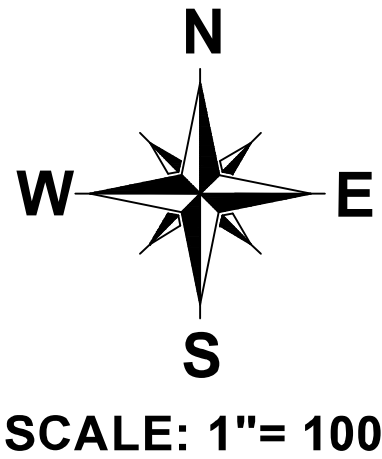
EXISTING UNDERGROUND COMMUNICATIONS LINES

EXISTING CHAIN LINK FENCE

EXISTING SIGN

NOTES:

- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA STATE ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
- SOURCES OF INFORMATION USED FOR PREPARATION OF THIS SURVEY INCLUDE:
 - ALTA/ASOM SURVEY ENTITLED "26.28 ACRE FORT", BY BILL N. SANFORD, AL. P.L.S. REG. NO. 10506 OF SANFORD, BELL, AND ASSOCIATES, INC.
 - FINAL PLAT OF OPELIKA MARKETPLACE, PLAT BOOK 20, PAGE 103.
 - REDIVISION OF LOT 5-A-3 & REVISION OF LOT 5-B-1, FIRST REDIVISION OF LOT 5, OPELIKA MARKETPLACE SUBDIVISION, PLAT BOOK 43, PAGE 42.
 - NO TITLE SEARCH WAS DONE AS PART OF THIS SURVEY.
 - NORTH IS BASED ON GRID NORTH.
 - THE DETENTION POND SHOWN IS INTENDED TO BE INCLUDED AS PART OF A LARGE DRAINAGE EASEMENT DESIGNATED FOR THE PURPOSE OF STORMWATER DETENTION FOR LOTS 5-A-1, 5-A-2, 5-A-3-A, 5-A-3-B-1, 5-A-3-B-2-A, 5-A-3-B-2-B, 5-A-3-B-2-C, AND 5-B-1-A.
 - AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES, EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
 - ACCORDING TO FEMA FIRM MAP NO. 01081C0207G, FOR THE CITY OF OPELIKA, ALABAMA, PANEL NUMBER 207 OF 381, THE PROPERTY LIES IN ZONE X, WHICH IS NOT A FLOOD PRONE AREA.



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



REDIVISION OF LOT 5-A-3-B-2,
SECOND REDIVISION OF LOT 5,
OPELIKA MARKETPLACE SUBDIVISION
SEC. 24 T 19 N Rg 29 E
OPELIKA, LEE COUNTY ALABAMA
SCALE: 1"=100'
ARTHUR R. NETTLES, AL. P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA NO. 922

NO.	REVISION	DATE	APPR.

DESIGNED	DRAWN	DATE	JOB NO.
ARN	DMC	11/___/21	B42021.01



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



2641

PC DEADLINE: 12/7/21 PC MEETING: 12/21/21SITE ADDRESS: Parker WayPROPERTY OWNER: Vic Patel / AU HospitalityAPPLICANT/ AUTHORIZED REPRESENTATIVE: Vic Patel / John GuglielmiMAILING ADDRESS: 1137 Country Club Dr. Orlando, FL 32804PHONE NUMBER: 407-448-1393 FAX NUMBER: N/AEMAIL ADDRESS: john.guglielmi2@gmail.com**PARCEL INFORMATION**Project name: D-BAT Academy Address/Location: Parker WayCurrent Land Use: vacant Current Zoning: C3Adjacent Zoning Districts: North: C3 South: PUD East: C2 West: C3Description of Proposed Use: Indoor Baseball & Softball Training Facility**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

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

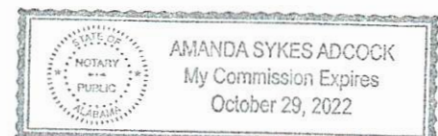
Property Owner's Signature: [Signature] Date: 12/21/21

**STATE OF ALABAMA,
COUNTY OF LEE**

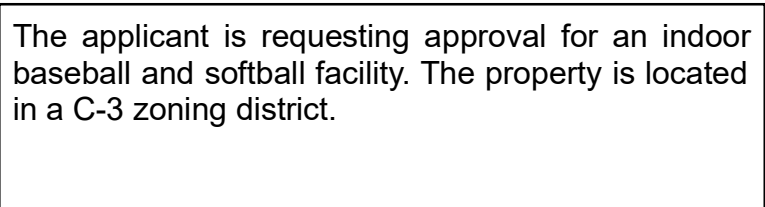
I, Amanda Sykes Adcock, a Notary Public in and for said County and State, hereby certify that Vic Patel, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily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

Given my hand and seal of office this 2nd day of December,

Amanda Sykes Adcock
Notary Public

My Commission Expires: 10-29-2022

The map displays the proposed 10000th Avenue project area. A large red area is labeled 'C3', and a pink area is labeled 'C2'. A dashed black line outlines the project boundary. A solid black line with a semi-circular end is also shown. The map includes labels for 'Lowes Access East', 'Exit 58: to Gateway Dr', and 'I-85'.



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: December 21, 2021

Agenda Item #: C-2

Action Requested: Conditional Use – Indoor Baseball and Softball Training Facility

Location of Property: Parker Way

Property Owner(s): Vic Patel
Arthur Nettles (Authorized Representative)

Current Land Use: Undeveloped

Current Zoning: C-3, GC-P

**Surrounding Zoning Districts
And Land Uses:**

North	C-3, GC-P	Commercial (Undeveloped)
South	C-3, GC-P	Commercial (Undeveloped)
East	C-2, GC-P	Commercial (Mobile Home Park)
West	C-3, GC-P	Commercial (Undeveloped)

Proposal:

The applicant is requesting conditional use approval to construct an indoor training facility for baseball and softball in a C-3, GC-P zoning district. This business use is indoor recreational/training facility specifically, a training facility for baseball and softball. This use is allowed in the current zoning district. However, the applicant is requesting to use metal architectural panels with a stucco like finish and stone accents and stone wainscot to accent the façade for the exterior materials and cladding. This type of exterior materials in the Gateway Corridor Overlay District (Section 7.6) require an approval by the Planning Commission. The property will have access from an extension of Parker Way.

The site plan shows a 20,130 square foot (sf) building on a 1.52-acre lot. The minimum building setbacks listed on the site plan are incorrect. The site plan must be corrected and adjusted to reflect the gateway corridor setback requirements of 40 feet from Parker Way, 20 feet in the sides and 20 feet in the rear. The applicant stated the building front will face west. The building floor plan or elevation is not provided at this time. However, the applicant has submitted a photo of an example facilities floor plan and building product. This property meets the maximum 70% impervious surface ratio allowed; 55% of the property will be impervious. Based on the information provided the indoor recreation use requires one (1) parking space per four (4) patrons to the maximum capacity of facility, plus one (1) parking space per two (2) employees on the largest shift. This site plan provides 38 parking spaces for customers and employee parking, plus two (2) handicap accessible spaces. The applicant stated the

facility will have eight (8) employees at the maximum shift and 25 patrons at maximum capacity. This site plan exceeds the minimum parking requirements for this use.

No exterior elevations have been submitted at this time. They have submitted photos to show how they expect the site to look with replacing the standard metal building façade with metal architectural panels with a stucco like finish and stone accents. The applicant is requesting to use architectural panels and stone wainscot to accent the façade for the exterior materials and cladding (example photos at the end of the report). The applicant states exterior materials and cladding will meet the minimum requirements in the Section 7.6 Gateway Corridor Overlay District. The applicant is asking the Planning Commission to approve the exterior materials use of architectural simulated EIF's metal panels painted (example photos attached) with stone accents. The front side facing Parker Way will be 100% architectural panels with stone accents (south side) to match the pattern shown on the example for the entrance on the west side, the building front on the west side 100% architectural panels with stone accents as shown in the example photo, on the east and north sides add the architectural panels with stone accents on 20% of the wall length or 20 feet whichever is greater. (Similar architectural metal panels have been approved by the Commission in the past for structures at 2004 Yarbrough and 400 Columbus Parkway.)

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 an alternate material such as wire mesh.

The landscape plan shows a total of 210 points. The minimum requirement for the site is 193 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 24 Green Giant Arborviate plants and a 6-foot 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 on the left/ rear side. 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 site 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 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. Planning Commission approval of the exterior materials use of architectural simulated stucco finish metal panels painted (photos attached) with stone accents front side facing Parker Way 100% architectural panels with stone accents (south side) to match the pattern shown on the example for the entrance on the west side, the building front on the west side 100%**

architectural panels with stone accents, on the east and north sides add the 20% of the wall length or 20 feet whichever is greater.

3. Add the residential landscape buffer to the along the portions of the lot that adjoin the mobile home park to meet the residential zone buffer requirements provided in Section X Landscape Regulations.
4. 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.
5. Provide architectural elevations and materials list to show building exterior materials and cladding to meet the Section 7.6 Gateway Corridor Overlay District materials and cladding requirements.
6. Provide fencing type to ensure the Section 7.6 Gateway Corridor Overlay District requirements are met or an alternate must be approved.
7. 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.



Photo of similar facility provided by the applicant.



Photo of similar facility provided by the applicant.



Photo of similar facility provided by the applicant.



Example of similar metal architectural panel with a stucco like finish provided by the applicant.



Example of similar metal architectural panel with a stucco like finish provided by the applicant.

Engineering Department Report

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

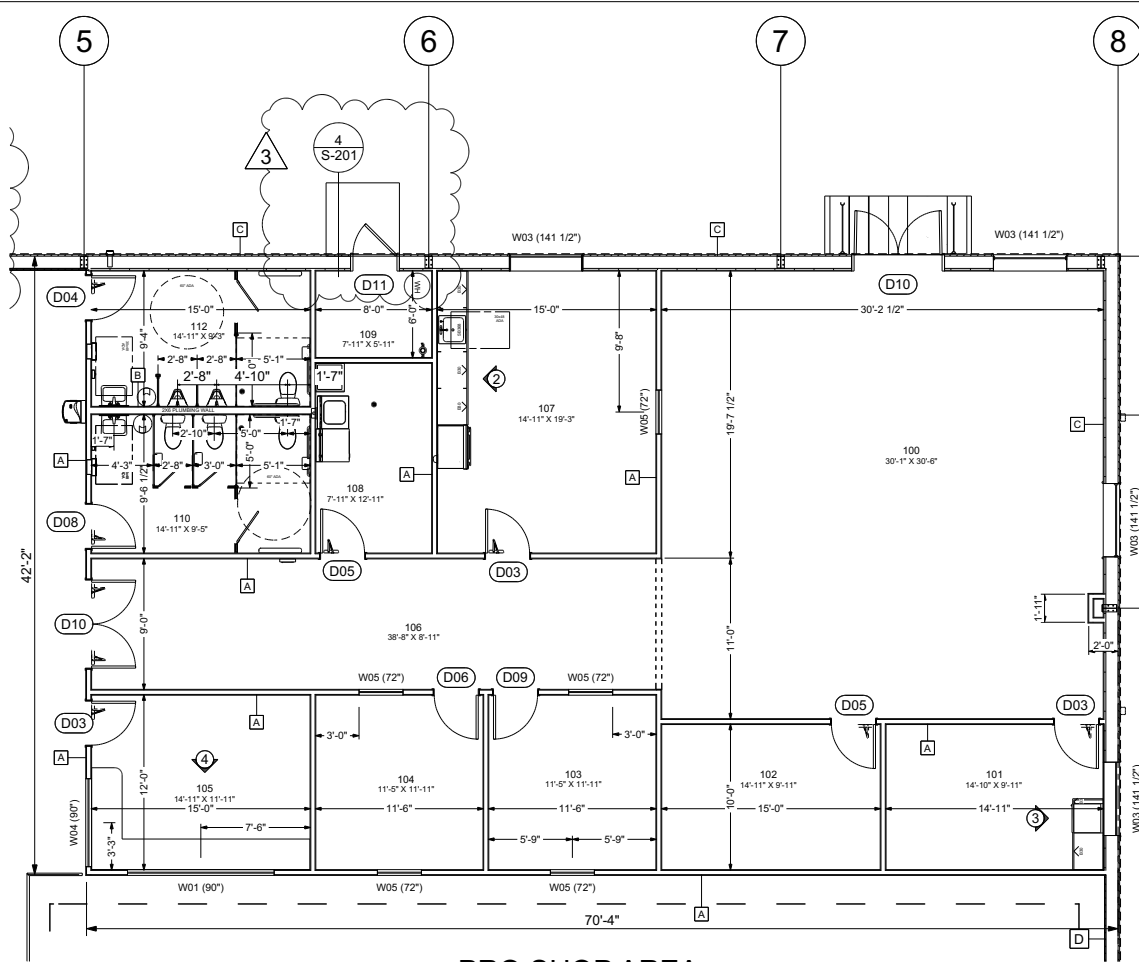
The Engineering Department has no other comments or concerns with this proposal and recommends conditional use.

Opelika Utilities Board Report

Water service is accessible by Parker Way.

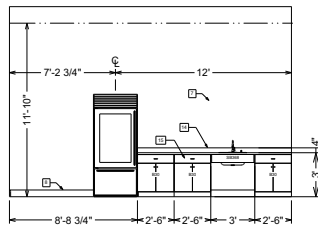
Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.



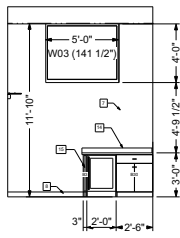
PRO SHOP AREA

SCALE: 1/4" = 1'-0"



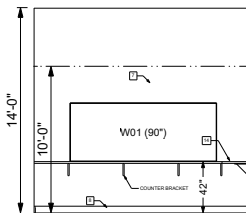
ROOM 107

SCALE: 1/4" = 1'-0"



ROOM 101

SCALE: 1/4" = 1'-0"



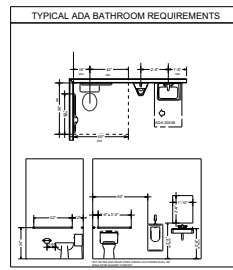
ROOM 101

SCALE: 1/4" = 1'-0"

ROOM FINISH SCHEDULE					
ROOM NAME	ROOM FUNCTION	AREA INTERIOR (SQ FT)	FLOOR FINISH	CEILING FINISH	BASE MOLDING
100	PRO SHOP	920	CARPET	CEILING TILES	VINYL 11'-10"
101	INSTRUCTOR LOUNGE	147	CARPET	CEILING TILES	VINYL 11'-10"
102	INVENTORY STORAGE	147	CARPET	CEILING TILES	VINYL 10'-0"
103	OFFICE	136	CARPET	CEILING TILES	VINYL 10'-0"
104	OFFICE	136	CARPET	CEILING TILES	VINYL 10'-0"
105	PARENT LOUNGE	177	CARPET	CEILING TILES	VINYL 10'-0"
106	HALL	344	CARPET	CEILING TILES	VINYL 10'-0"
107	PARTY ROOM	286	VCT TILE	CEILING TILES	VINYL 11'-10"
108	STORAGE ROOM	102	VCT TILE	NONE	VINYL 8'-0"
109	SPRINKLER ROOM	47	NONE	NONE	VINYL 8'-0"
110	WOMEN	141	VCT TILE	CEILING TILES	VINYL 10'-0"
112	MEN	137	VCT TILE	CEILING TILES	VINYL 10'-0"
113	CAGE AREA	16,733	TURF	N/A	NONE
TOTALS		20,130			

WINDOW	QTY	WIDTH	DEPTH	DESCRIPTION	EXTERIOR ELEVATION
W01	3	18'-0"	66"	FUTURE FRAMED OPENING	
W02	1	36"	84"	A-SWING (CLOSURE FRAME)	
W03	3	36"	84"	A-SWING (CLOSURE - GLASS)	
W04	1	36"	84"	A-SWING (CLOSURE)	
W05	2	36"	84"	A-SWING (CLOSURE KEYS)	
W06	1	36"	84"	A-SWING (GLASS)	
W07	2	36"	84"	B-SWING (CLOSURE - FRAME)	
W08	1	36"	84"	B-SWING (CLOSURE)	
W09	1	36"	84"	B-SWING (GLASS)	
W10	2	72"	84"	ALUMINUM STEEL ENTRY	
W11	1	36"	84"	A-SWING (CLOSURE KEYS)	

WINDOW	QTY	WIDTH	DEPTH	DESCRIPTION	EXTERIOR ELEVATION
W01	1	128"	48"	YES	42"
W02	4	80"	48"		50 1/2"
W04	1	72"	48"	YES	42"
W05	5	36"	24"	YES	48"



- COLOR CODES D-BAT PROJECT**
- 1. Chief Ash Gray
 - 2. Chief Charcoal
 - 3. Standard White
 - 4. Chief Emerald Green
 - 5. D-Bat Gold
 - 6. D-Bat Red
 - 7. D-Bat White
 - 8. Vinyl Base Gray
 - 9. D-Bat Turf
 - 10. VCT Tan Red # 51814
 - 11. VCT Tan Green Blue # 51946
 - 12. Philadelphia Coplot # 16400
 - 13. Philadelphia Corrosive Gray # 16505
 - 14. Wilson Art Formica Indigo Blue
 - 15. Wilson Art Formica Dove Gray

Label	Date	Revised By	Description
1	7/18/2019	SJS	Permit
2	7/25/2019	SJS	Room Schedule
3	8/7/2019	SJS	Add Door D07

CONTRACTOR
Abode Construction Inc
3405 7th Ave
Suite 102
Marion, IA 52302

DESIGNER / DRAFTING
Kolona Drafting & Design
503 10th St Kolona, IA 52347
319-656-2305
sylvanschlaab@outlook.com

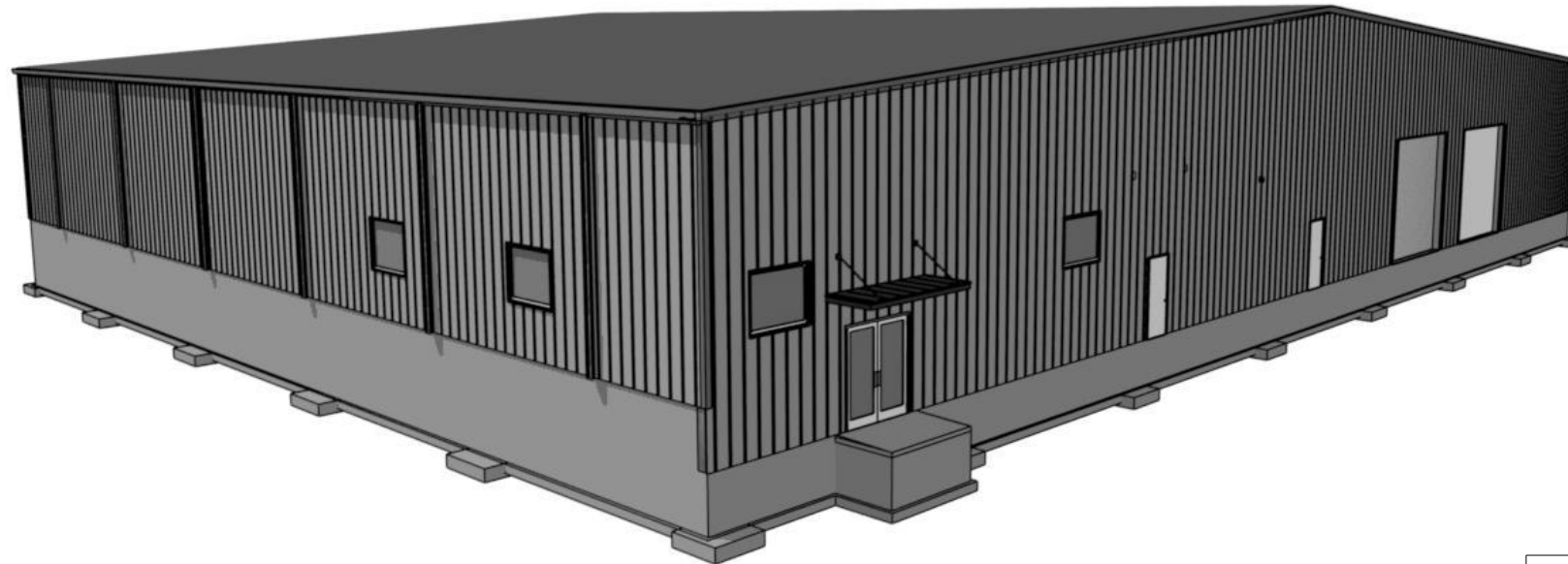
Abode / D-Bat
1783 Red Fox Way
Marion Iowa
Enlarged Floor Plan

A-101
scale
AS NOTED
drawn by
SJS
approved by
date
06-14-19

19-14



N
PROJECT LOCATION MAP
NO SCALE:



CALL IOWA ONE CALL BEFORE DIGGING
(800) 292-8989

Sheet Index	
No.	Description
COVER	Cover Sheet
A.01	Title Sheet
A0.2	General Notes and Details
A.03	Site Development Plan
R.01	Finished Grading and Erosion Control Plan
R.02	Utility Layout Plan
R.03	Paving Layout Plan
R.04	Landscaping Plan
A-100	Building Floor Plan
A-101	Enlarged Floor Plan
A-200	Exterior Elevations
A-201	Exterior Elevations
A-202	Sections
A-400	Reflected Ceiling Plans, Details
CODE	Code Review(Project Data)
S-100	Structural Notes
S-101	Foundation Plan
S-201	Foundation Details
S-202	Foundation Details

To the best of my knowledge these plans are drawn to comply with owner's and/or local, state and federal requirements. I warrant that the plans were prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Iowa. I warrant that the plans were prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Iowa. I warrant that the plans were prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Iowa.

Abode / D-Bat
1783 Red Fox Way
Marion Iowa
Cover Sheet

COVER

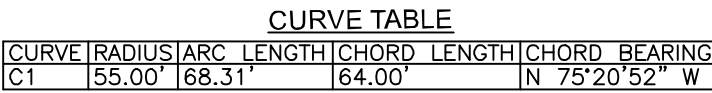
scale
AS NOTED
drawn by
SJS
approved by
date
06-14-19

19-14

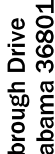
Revision Table			
Label	Date	Revised By	Description
1	7/18/2019	SJS	Permit
2	7/25/2019	SJS	Room Schedule
3	8/7/2019	SJS	Add Door D07

NO.	REVISION	DATE	APPR.

	DESCRIPTION	NUMBER	SIZE
	DWARF BUFORD HOLLY	53	3 GAL
	LOROPETALUM CRIMSON FIRE	33	3 GAL
	KOREAN BOXWOOD	80	3 GAL
	AUTMNM BLAZE MAPLE	5	1.5" GAL
	AUTAUGA CRAPE MYRTLE	2	1.5" GAL
	NATCHEZ CRAPE MYRTLE	3	1.5" GAL
	GREEN GIANT ARBORVITE	24	1.5" GAL
	SHUMARD OAK	3	1.5" GAL
	TULIP POPLAR	4	2.5" GAL
	SCARLETT OAK	3	2.5" GAL
	TOTAL POINTS	210	



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ARN	DMC	12/—/21	B71621.01	



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

BASILINE
SURVEYING & DESIGN, LLC

D-BAT BASEBALL & SOFTBALL ACADEMY LANDSCAPE PLAN

OPELIKA

SHEET
1 OF 1

NOTES

1. ALL MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
2. EROSION CONTROL BLANKETS WILL BE REQUIRED ON SLOPES STEEPER THAN 3:1.
3. EXISTING SERVICES TO BE ABANDONED SHALL BE TERMINATED AT THE MAIN.
4. NOTIFY OWWB OF ANY SCHEDULED OUTAGES 7 DAYS PRIOR TO THE OUTAGE.
5. ONLY OWWB PERSONNEL ARE AUTHORIZED TO OPERATE OWWB VALVES.
6. STRUCTURES SHALL BE CONSTRUCTED OR PLACED ON PERMANENT EASEMENTS. FENCES MAY BE ERECTED PERPENDICULARLY ACROSS THE EASEMENT PROVIDED THERE IS A MINIMUM 12-FOOT WIDE ACCESS GATE INSTALLED. IF THE GATE IS TO BE LOCKED, THERE MUST BE A CITY-APPROVED LOCKING MECHANISM. IF THE GATE IS NOT TO BE LOCKED, NO TREES SHALL BE PLANTED WITHIN 10 FEET OF UTILITIES.

D-BAT BASEBALL & SOFTBALL ACADEMY

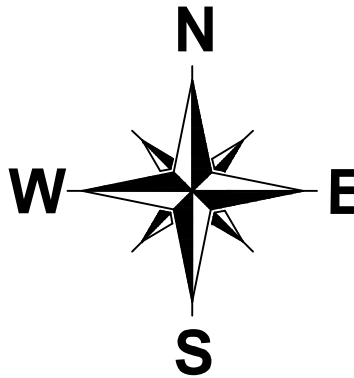
SITE PLAN

LOT 5-A-3-B-2-C INFORMATION TABLE

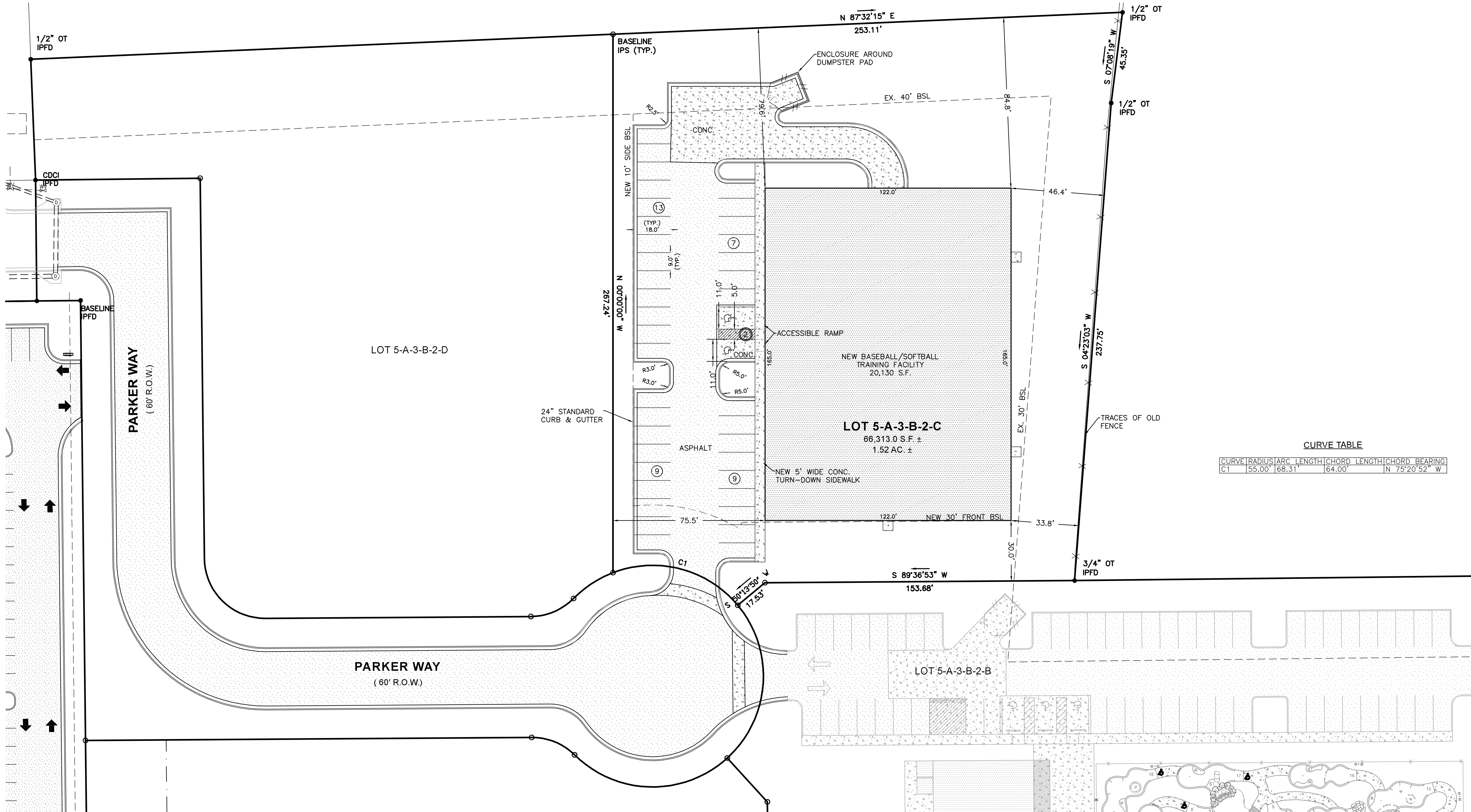
TYPE USE	INDOOR BASEBALL TRAINING
ADDRESS	0 PARKER WAY
ZONE	C3 COMMERCIAL
LOT SIZE	66,313.0 S.F.± 1.52 AC.±
REGULAR PARKING SPACES	38
ACCESSIBLE SPACES	2
TOTAL PARKING SPACES	40
IMPERVIOUS SURFACE	36,716 S.F.
ISR PERMITTED	N/A
ISR ACTUAL	0.55
FLOOR AREA STORIES	20,130 S.F. 1

NOTES

1. ALL MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
2. EROSION CONTROL BLANKETS WILL BE REQUIRED ON SLOPES STEEPER THAN 3:1. NO SLOPES SHALL BE STEEPER THAN 2:1.
3. EROSION CONTROL BLANKETS SHALL BE TERMINATED AT THE MAIN.
4. NOTIFY OWWB OF ANY SCHEDULED OUTAGES 7 DAYS PRIOR TO THE OUTAGE.
5. ONLY OWWB PERSONNEL ARE AUTHORIZED TO OPERATE OWWB VALVES.
6. NO PERMANENT STRUCTURES MAY BE CONSTRUCTED OR PLACED ON EASEMENTS. FENCES MAY BE ERECTED PERPENDICULARLY ACROSS THE EASEMENT PROVIDED THERE IS A MINIMUM 12-FOOT WIDE ACCESS GATE TO THE EASEMENT. EROSION CONTROL SHALL BE INSTALLED AS CITY-APPROVED LOCK INSTALLED IN CONJUNCTION WITH THE OWNER'S LOCK. NO TREES SHALL BE PLANTED WITHIN 10 FEET OF UTILITIES.

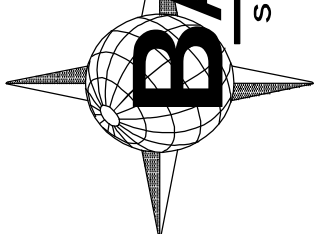


SCALE: 1"= 30'



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



D-BAT BASEBALL & SOFTBALL ACADEMY SITE PLAN

OPELIKA

SHEET
1 OF 1

NO.	R E V I S I O N	DATE	APPR.

**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: Hartbrook Development LLC; Brandon HaysMAILING ADDRESS: 995 Fairview Drive, Auburn, AL 36830PHONE NUMBER: 205.568.0551 Email: brandon@hartbrookdev.com**PARCEL INFORMATION**Site Address: Crawford Road Opelika, AL 36804Description of proposed use: SubdivisionTax Parcel Number: 10-09-29-0-000-001.002Adjacent Zoning Districts: North: PUD, M1 South: R4M, C3 East: R3 West: R3Current Land Use: Single-Family HomesCurrent Zoning: R3Number of APO: 9 x \$7.00 = \$ 63
(Adjacent Property Owners)Proposed Zoning: PUDFee: \$125.00**TOTAL** = \$188

PAID: _____

I hereby request my property located at (street address) Crawford Rd Opelika, AL,
 Tax Map parcel number 10-09-29-0-000-001.002 be rezoned from
R3 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:

12/10/21

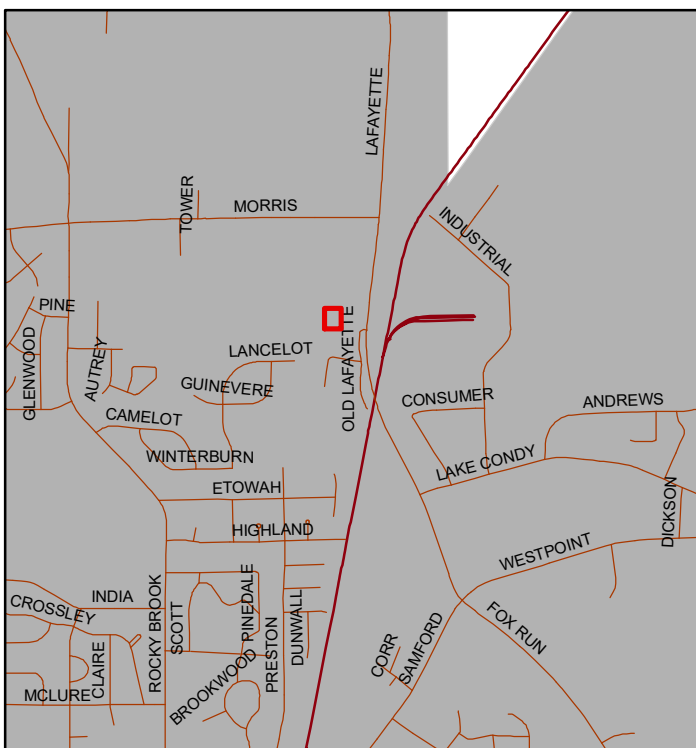
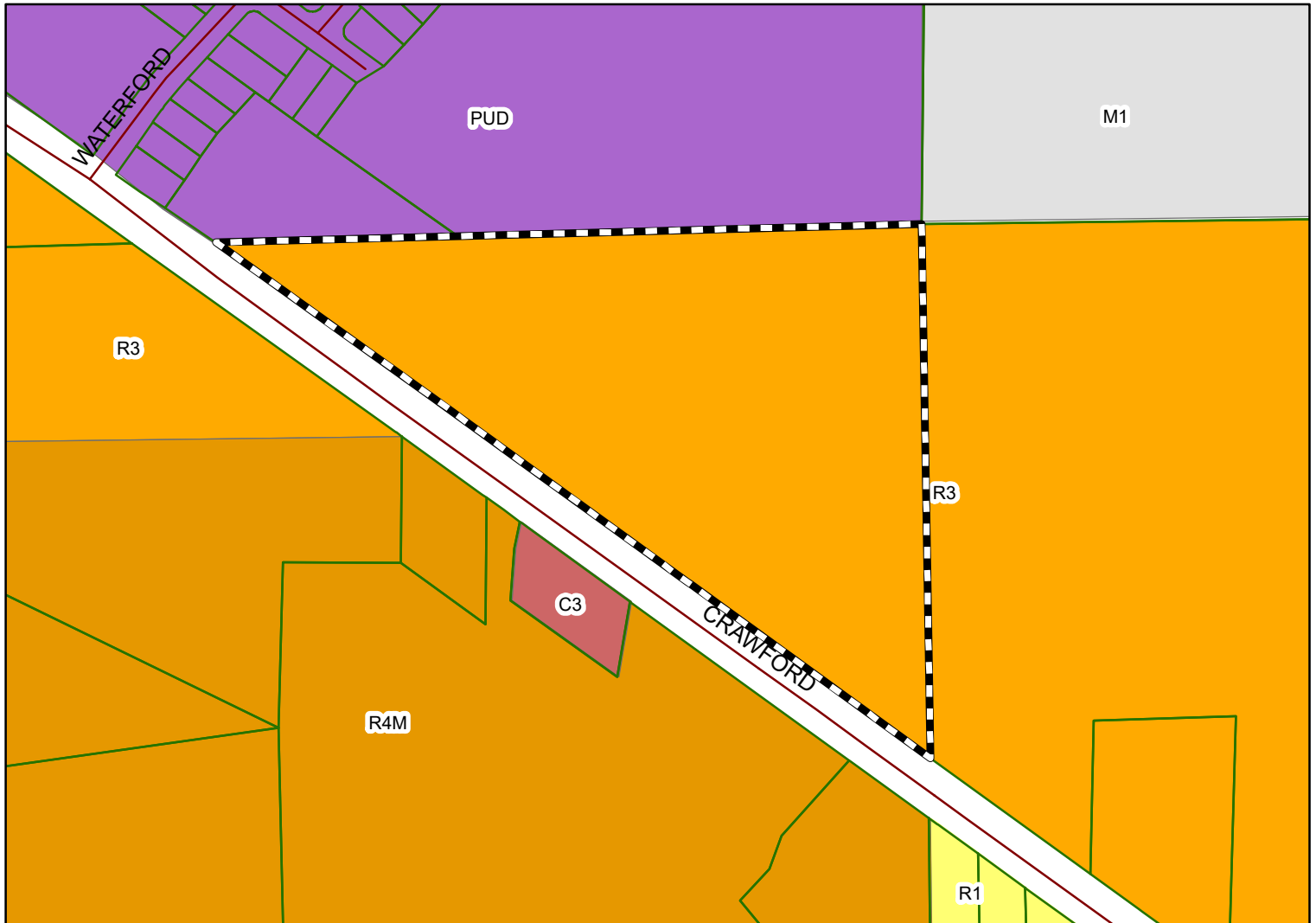
(PRINT NAME) Brandon Hays

DATE

ARLEE DRIVE REZONING AND KNOLLWOOD SUBDIVISION

ARLEE DRIVE AND CRAWFORD ROAD

R-3 TO PUD AND PRELIMINARY PLAT APPROVAL, D-3,4



The applicant is requesting rezoning 17.9 acres from R-3 to PUD, and preliminary plat approval for 47 lots. The property is accessed from Arlee Avenue and Crawford Road. The rezoning/subdivision is adjacent to the Waterford PUD development.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Agenda Item #: D-3

Action Requested: Rezoning – 17.9 acres
From R-3 to PUD

Property Owner(s): Brandon Hays, Hartbrook Development, LLC authorized representative
Andy Young, Foresite Group, LLC

Current Zoning: R-3

Proposed Zoning: PUD (Planned Unit Development)

Existing Land Use: Single-Family Residential

**Surrounding Zoning Districts
And Land Uses:**

North	PUD & M-1	Single-Family Homes and Castone Corporations
South	R-4M & C-3	Hickory Haven Mobile Home Park and Gas and Convenience Store
East	R-3	Vacant
West	PUD	Single-Family Homes

Rezoning:

The applicant is requesting rezoning 17.9 acres from a R-3 (low density residential) zoning district to a PUD (planned unit development) zoning district for a single-family residential community. Crawford Road borders the development along the south property line. The adjacent property on the west is The Village at Waterford Subdivision, Phase 4, and PUD single-family development. The adjacent property on the east is a rural tract. The adjacent property to the south is a mobile home park and convenience store with gas islands. Access to the development is from two new streets with one on the south border connecting to Crawford Road. The second access to this development will be a connection to Arlee Avenue from a planned stub street connector to be built in the Village at Waterford, Phase 4 Subdivision.

The proposed development consists of 47 single family home lots, two (2) parcels designated “detention/open space”. The density for the entire 17.64-acre PUD development is 2.6 dwellings per acre. The typical lot is 9,000 sf (residential lot sizes range from 7,800 sf to 14,492 sf). The proposed setback for the residential lots is a minimum of 20 feet from the front property line, 5 feet from each side property line, 25 feet from the rear property line and 15 feet from a side street. The master plan states these lots are developed for one or two-story single-family homes. An HOA (Homeowner’s

Association) will be established for the neighborhood. The HOA's 'Covenants, Conditions and Restrictions' document will include building and use restrictions, HOA fees, and maintenance of "detention/open space" for property owners. The "detention/open space" on the master plan are two (2) lots that total 4.16 acres. The common area is primarily an undisturbed natural wooded area preserved as open space. The Knollwood Subdivision homeowner's association will own, maintain, and preserve the 4.16-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 zoning districts. Staff recommends the same buffer between the two PUD zoning districts. The buffer provides visual separation and screening to improve compatibility between the PUD residential lots and the adjacent properties. 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.

Staff recommends an additional 5-foot to the standard 20-foot landscape buffer to equal a 25-foot landscape buffer to be preserved or added along Lots 1-14 and 47-49 residential lots and two detention/open space adjacent to Crawford Road. The new homes constructed on those lots face an internal street, and the rear yard faces Crawford Road. The visual buffer between the residential lots and Crawford Road preserves the character of this area. The buffer also reduces possible interference between the existing commercial, manufacturing, and activities of the proposed residential community. Where a 25-foot natural buffer does not exist, add a 6-foot privacy fence and plantings to meet the equivalent of the 25 foot natural buffer. If a fence is proposed, then fence must be installed between the 25-foot buffer and residential home. The buffer must be shown on the site plan when building permit is requested. If a fence is not installed as a buffer, when the property owners of these lots desire to install a fence, the fence must be installed between the 25-foot buffer and residential home. To be connected to another PUD zoning district is rare, staff feels the addition of landscaping to these lots to be similar to the adjacent Village at Waterford PUD zoning requirements the developer should add street trees. Specifically, one tree per two lots planted on private property.

Staff recommends sidewalks installed on at least one side of all streets and underground utilities provided. Two home 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-3 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 including the staff recommended buffer between the PUD zoning districts.
4. Label/show the 25 foot landscape buffer along the rear lot lines of lots adjacent to Crawford Road along Lots 1-14 and 47-49. The buffer planted must be an adequate size to provide a near impervious visual buffer in three years.
5. To be consistent with the adjacent Village at Waterford PUD zoning requirements the developer should add street trees. Specifically, one tree per two lots planted on private property.
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. Revise the master plan exhibit to show the landscape requirements and existing sanitary sewer easement running along the east line of said property.

Engineering Department Report

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

Opelika Utilities Board Report

Water service is accessible by Alabama Highway 169.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

1582.007



2654

AGENDA ITEM # 4

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

PC DEADLINE: 12/7/21 PC MEETING: _____

SITE ADDRESS: Crawford Road
PROPERTY OWNER: Mary E. Goggans
APPLICANT/AUTHORIZED REPRESENTATIVE: Hartbrook Development LLC; Brandon Hays
MAILING ADDRESS: 995 Fairview Drive, Auburn, AL 36830
PHONE NUMBER: 205.568.0551 **FAX NUMBER:** _____
EMAIL ADDRESS: brandon@hartbrookdev.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: Knollwood

Number of Lots: 47 x \$3.00 = \$ 141

Current Land Use: Vacant

Number of APO: 9 x \$6.74 = \$ 60.66
(Adjacent Property Owners)

Current Zoning: R3

Proposed use of the Subdivision: Single family residential

Fee: \$75.00

TOTAL = \$276.66

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

PAID _____

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

12/6/21

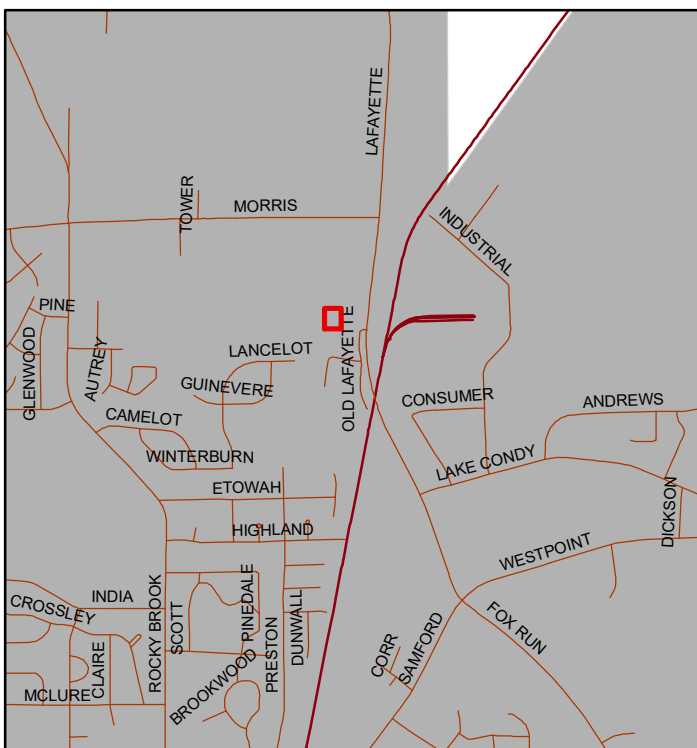
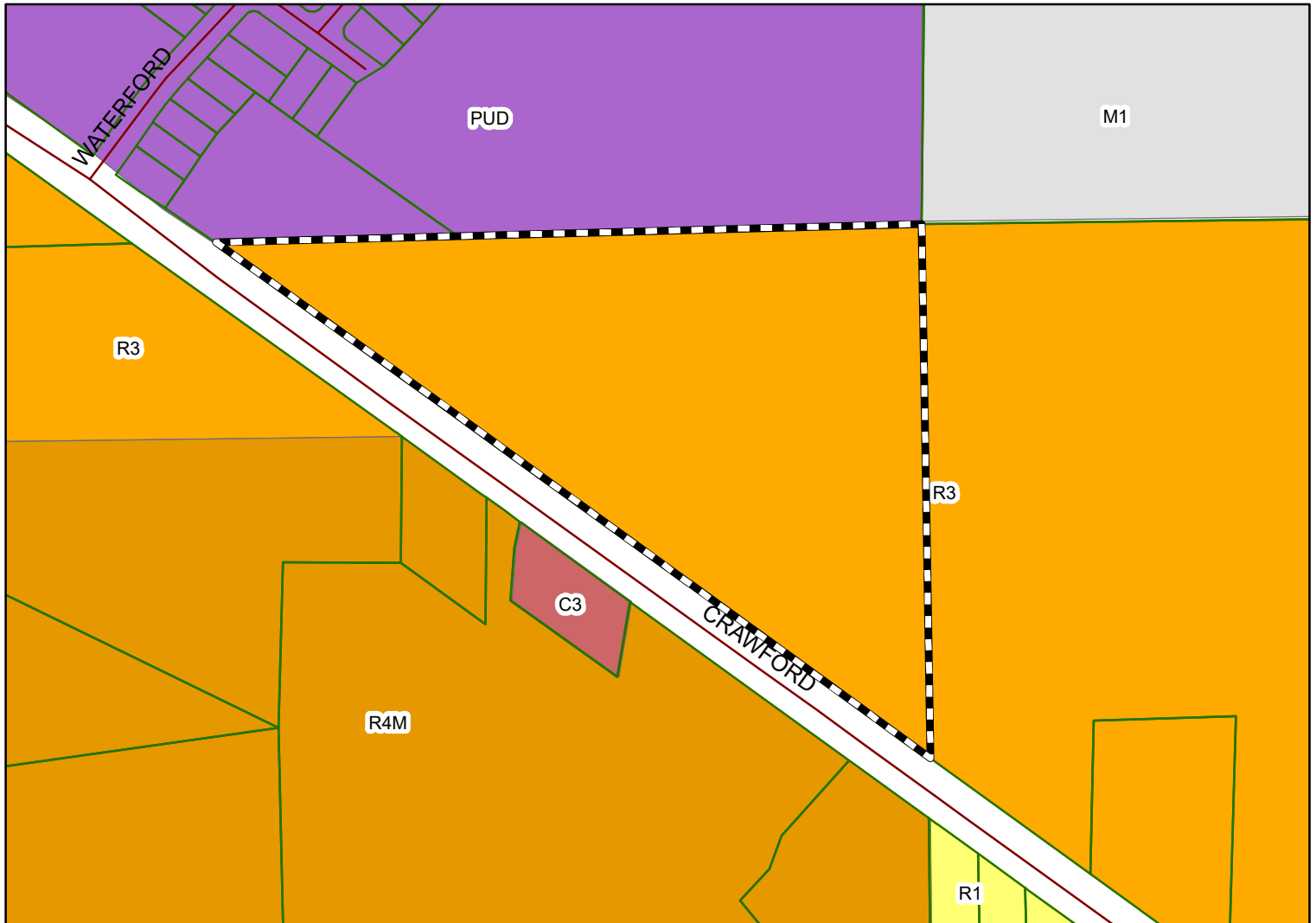
(PRINT NAME) Brandon Hays

DATE

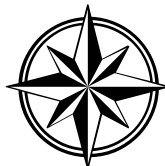
ARLEE DRIVE REZONING AND KNOLLWOOD SUBDIVISION

ARLEE DRIVE AND CRAWFORD ROAD

R-3 TO PUD AND PRELIMINARY PLAT APPROVAL, D-3,4



The applicant is requesting rezoning 17.9 acres from R-3 to PUD, and preliminary plat approval for 47 lots. The property is accessed from Arlee Avenue and Crawford Road. The rezoning/subdivision is adjacent to the Waterford PUD development.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Subdivision: Knollwood Subdivision

Agenda Item #: D-4

Action Requested: Preliminary Approval

Location of Property: Crawford Road and Arlee Avenue

Property Owner(s): Brandon Hays, Hartbrook Development, LLC, authorized representative
Andy Young, Foresite Group, LLC

Current Land Use: Residential

Current Zoning: Currently R-3 requested to be rezoned to PUD.

Flood Zone: FEMA – Nov 2, 2011 – MAP#01081C0230G. 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 49-lot subdivision on a 17.64 acres and rezoning the property from R-3 to PUD (Planned Unit Development). The property is to the east of the Village at Waterford Subdivision and PUD along Crawford Road. This development is accessed from Crawford Road. Additionally, a new street accesses a planned stub-out approved in the Village at Waterford Subdivision, Phase 4, on Arlee Avenue.

Single family homes will be built on 47 lots. Lots 48 and 49 (4.19 acres total) are reserved as Detention/Open Space. The density for the development is 2.6 dwelling units per acre. The 47 single family lots range in size from 7,800 square feet (sf) to 14,492 sf. with a minimum lot width of 60 feet wide. The proposed minimum building setbacks are 20 feet in the front, 5 feet on the side yard, 25 feet in the rear yard, and 15 feet on the side on street (corner lots). The plat should note the minimum lot width standards of 60-feet 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 residential zoning district.

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.

An R-3 zone is adjacent along the east property line. If an existing natural buffer or staggered evergreen row is selected rather than a 6 foot 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 Crawford Road must be preserved to provide a visual buffer along Crawford Road, existing trees count towards the base points requirements. Where a 25-foot natural buffer does not exist, add a 6 foot privacy fence and plantings to meet the equivalent of the 25 foot natural buffer. If a fence is proposed, then fence must be installed between the 25-foot buffer and residential home. The buffer must be shown on the site plan when building permit is requested. If a fence is not installed as a buffer, when the property owners of these lots desire to install a fence, the fence must be installed between the 25-foot buffer and residential home. To be connected to another PUD zoning district is rare, staff feels the addition of landscaping to these lots to be similar to the adjacent Village at Waterford PUD zoning requirements the developer should add street trees. Specifically, one tree per two lots planted on private property.

Recommendation

Staff recommends preliminary plat approval subject to the following:

1. The City Council approval of the rezoning to the Knollwood PUD Master Plan request.
2. Add the name and address of the owner/developer on final plat.
3. Show the existing dwellings on the property.
4. Add a note stating the existing dwellings will be removed prior to final plat approval.
5. Install underground utilities.
6. Install sidewalks on at least one side of all streets.
7. Locate the existing sanitary sewer easement along the east line of said property.
8. Approve the proposed minimum building setbacks on plat: 20 feet front yard, 5 feet side yard, 25 feet rear yard, and 15 feet side on street (corner lots). Add the 60-foot minimum lot width on the final plat.
9. On final plat add a note providing the minimum building setbacks and lot width.
10. 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.
11. Preserve the 25 foot natural buffer along the rear lot lines of those lots that border Crawford Road, where a 25 natural buffer does not exist, add a 6 foot privacy fence and plantings to meet the equivalent of the 25 foot natural buffer. 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.

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.

12. On final plat add a note detailing ownership and maintenance of all detention and open space, the Knollwood Subdivision HOA is owner of Lots 48 and 49 as shown on the Knollwood subdivision plat. Lots 48 and 49 are reserved as stormwater detention for the subdivision and open space for the Knollwood property owners. The Knollwood HOA is responsible for the maintenance of all detention/open space on Lots 48 and 49.

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 is not required for this subdivision according to the Traffic Impact Study (TIS) thresholds proposed in the new Public Works Manual standards, but ALDOT approval and requirements will need to be met because this access a State maintained highway. This threshold for single Family Residential sets the requirement for a TIS at 70-units.

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

Opelika Utilities Board Report

Water service is accessible by Alabama Highway 169.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE ____ DAY OF DECEMBER, 2021.

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

STATE OF ALABAMA
LEE COUNTY

I, ____ OWNER'S NAME ____, AS ____ TITLE AND COMPANY ____, AS OWNER OF THE REAL PROPERTY SHOWN ON THIS PLAT HEREBY JOINS IN THE STATEMENT OF ARTHUR R. NETTLES AND CERTIFY THAT IT IS MY PURPOSE TO SUBDIVIDE LANDS SO PLATTED INTO LOTS AS SHOWN.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF DECEMBER, 2021.

OWNER'S NAME, TITLE
COMPANY

STATE OF ALABAMA
LEE COUNTY

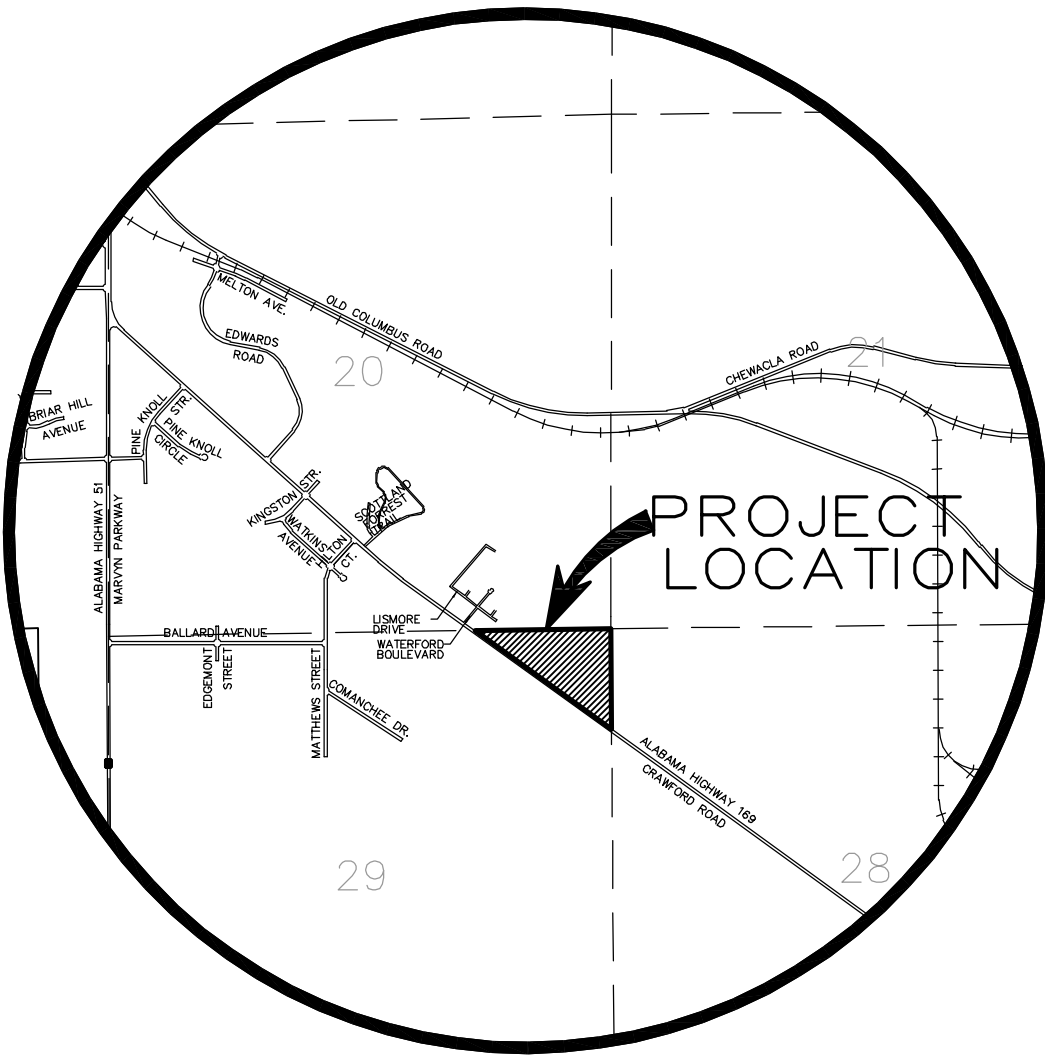
I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT ____ OWNER'S NAME ____, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHOSE NAME IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT, BEING INFORMED ON THE CONTENTS OF THE INSTRUMENT,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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF DECEMBER, 2021.

NOTARY PUBLIC:
MY COMMISSION EXPIRES:

NOTES:

- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
- BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
- SOURCES OF INFORMATION USED FOR PREPARATION OF THIS SURVEY INCLUDE:
 - PLAT FOR THE VILLAGE AT WATERFORD SUBDIVISION PHASE 4
 - PLAT BOOK 12, PAGE 134
 - DEED BOOK 1230, PAGE 6
 - NO TITLE SEARCH WAS DONE AS PART OF THIS SURVEY.
- NORTH IS BASED ON GRID NORTH
- AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES. EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
- ACCORDING TO FEMA FIRM MAP NO. 01081C0230G, FOR THE CITY OF OPELIKA, LEE COUNTY, ALABAMA, PANEL NUMBER 230 OF 381, EFFECTIVE DATE NOVEMBER 2, 2011, THE PROPERTY LIES IN ZONE X, WHICH IS NOT A FLOOD PRONE AREA.



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

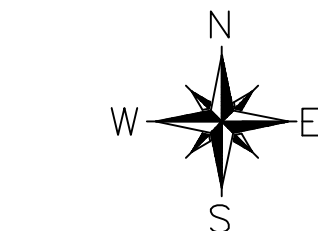
APPROVED BY THE OPELIKA CITY PLANNING DIRECTOR, OPELIKA, ALABAMA:
PLANNING DIRECTOR: _____ DATE: _____

APPROVED BY THE OPELIKA CITY PLANNING COMMISSION, OPELIKA, ALABAMA:
CHAIRMAN: _____ DATE: _____

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

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

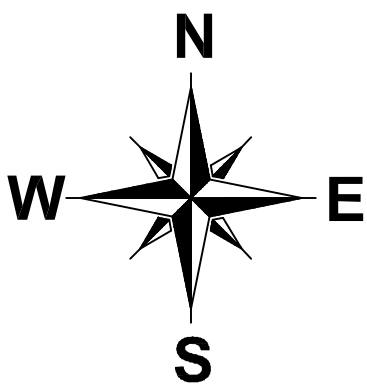
REVIEWED ON BEHALF OF OPELIKA POWER SERVICES, OPELIKA, ALABAMA:
OPELIKA POWER SERVICES: _____ DATE: _____



VICINITY MAP
NOT TO SCALE

LEGEND

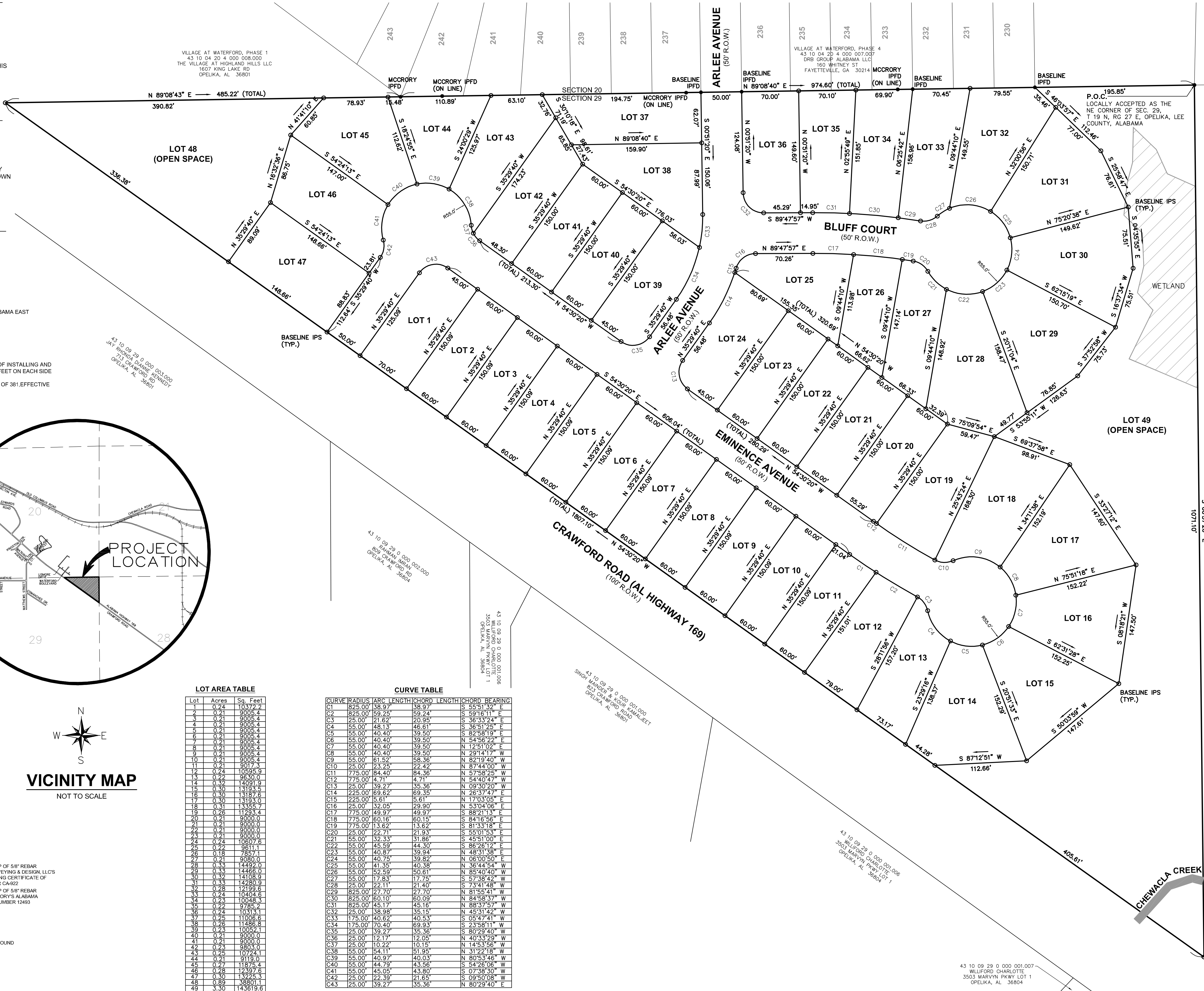
BASELINE PLASTIC CAP ON THE TOP OF 5/8" REBAR
ALABAMA LAND SURVEYING & DESIGN, LLC'S
AUTHORIZATION NUMBER CA-922
MCCORRY PLASTIC CAP ON THE TOP OF 5/8" REBAR
BEARING JAMES L. MCCORRY'S ALABAMA
SURVEYING REGISTRY NUMBER 12493
CRIMPED TOP
OPEN TOP
IRON PIN FOUND
IRON PIN SET
CALCULATED POINT
CONCRETE MONUMENT FOUND
SPIKE NAIL SET
R.O.W.
(F) FIELD MEASUREMENT
(P) PLAT DIMENSION



SCALE: 1" = 60'



KNOLLWOOD SUBDIVISION PLAT



LOT AREA TABLE

Lot	Acres	Sq. Feet
1	0.24	10372.2
2	0.21	9009.4
3	0.21	9009.4
4	0.21	9009.4
5	0.21	9009.4
6	0.21	9009.4
7	0.21	9009.4
8	0.21	9009.4
9	0.21	9009.4
10	0.21	9009.4
11	0.21	9009.4
12	0.24	10595.9
13	0.24	10595.9
14	0.24	10595.9
15	0.30	13193.5
16	0.30	13193.5
17	0.30	13193.5
18	0.31	13357.7
19	0.26	11293.4
20	0.21	9000.0
21	0.21	9000.0
22	0.21	9000.0
23	0.21	9000.0
24	0.21	9000.0
25	0.24	10507.6
26	0.21	9009.4
27	0.21	9009.4
28	0.33	14392.0
29	0.33	14466.0
30	0.33	14466.0
31	0.33	14466.0
32	0.28	12199.6
33	0.24	10424.6
34	0.23	10048.3
35	0.22	9725.1
36	0.21	9009.4
37	0.25	11006.6
38	0.25	11006.6
39	0.25	11006.6
40	0.21	9000.0
41	0.21	9009.4
42	0.23	9880.0
43	0.25	10724.1
44	0.21	9009.4
45	0.27	11876.4
46	0.28	12397.6
47	0.30	12952.5
48	0.89	38801.1
49	3.30	143619.6

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	825.00	38.97	38.97	S 55°51'32" E
C2	825.00	59.25	59.24	S 59°16'11" E
C3	25.00	21.62	20.99	S 36°31'24" E
C4	55.00	48.13	46.61	S 36°51'29" E
C5	55.00	40.40	39.50	S 82°58'19" E
C6	55.00	40.40	39.50	N 54°56'22" E
C7	55.00	40.40	39.50	N 12°51'02" E
C8	55.00	40.40	39.50	N 29°14'17" W
C9	55.00	61.52	58.36	N 82°19'40" W
C10	25.00	23.25	22.42	N 87°44'00" W
C11	775.00	84.40	84.36	N 57°58'25" W
C12	775.00	4.71	4.71	N 54°40'47" W
C13	25.00	39.27	35.36	N 03°30'20" W
C14	225.00	69.62	69.35	N 26°37'47" E
C15	225.00	5.61	5.61	N 17°03'05" W
C16	25.00	32.05	29.90	N 53°04'06" E
C17	775.00	49.97	49.97	S 89°21'13" E
C18	775.00	60.16	60.15	S 84°16'56" E
C19	775.00	13.62	13.62	S 81°33'18" E
C20	25.00	22.71	21.93	S 01°01'53" W
C21	55.00	52.33	51.86	S 45°51'00" E
C22	55.00	45.59	44.30	S 86°28'12" E
C23	55.00	40.87	39.94	N 48°31'38" E
C24	55.00	40.75	39.82	N 05°00'50" W
C25	55.00	41.35	40.38	N 36°44'54" W
C26	55.00	52.59	50.61	N 85°40'40" W
C27	55.00	17.83	17.75	S 57°38'42" W
C28	25.00	22.11	21.40	S 73°41'48" W
C29	825.00	27.70	27.70	N 81°58'41" W
C30	825.00	60.10	60.09	N 84°58'37" W
C31	825.00	45.17	45.16	N 85°00'25" W
C32	25.00	38.98	35.15	N 45°31'42" W
C33	175.00	40.62	40.53	S 05°47'41" W
C34	175.00	70.40	69.93	S 23°58'11" W
C35	25.00	39.27	35.36	S 80°29'40" W
C36	25.00	12.17	12.05	N 40°33'29" W
C37	25.00	10.22	10.15	N 14°53'56" W
C38	55.00	54.11	51.95	S 31°22'18" W
C39	55.00	40.97	40.03	N 80°53'46" W
C40	55.00	44.79	43.56	S 54°26'06" W
C41	55.00	45.05	43.80	S 07°38'30" W
C42	25.00	22.39	21.63	S 03°50'08" W
C43	25.00	39.27	35.36	N 80°29'40" E

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



2024 Vertical Data, Sta A
Opelika, Alabama 36801
Phone: (334) 749-9200
Web: www.baseline-llc.com
SEC. 29 T. 19 N. Rg. 27 E.
OPELIKA LEE COUNTY ALABAMA
SCALE: 1"=60'
ARTHUR R. NETTLES, AL, P.L.S. REG. NO. 23346
ALABAMA CERT. OF AUTH. CA. NO. 922

KNOLLWOOD SUBDIVISION
PLAT

SEC. 29
T. 19 N.
Rg. 27 E.

ALABAMA

DECEMBER 3, 2021

ALABAMA CERT. OF AUTH. CA. NO. 922



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

2647



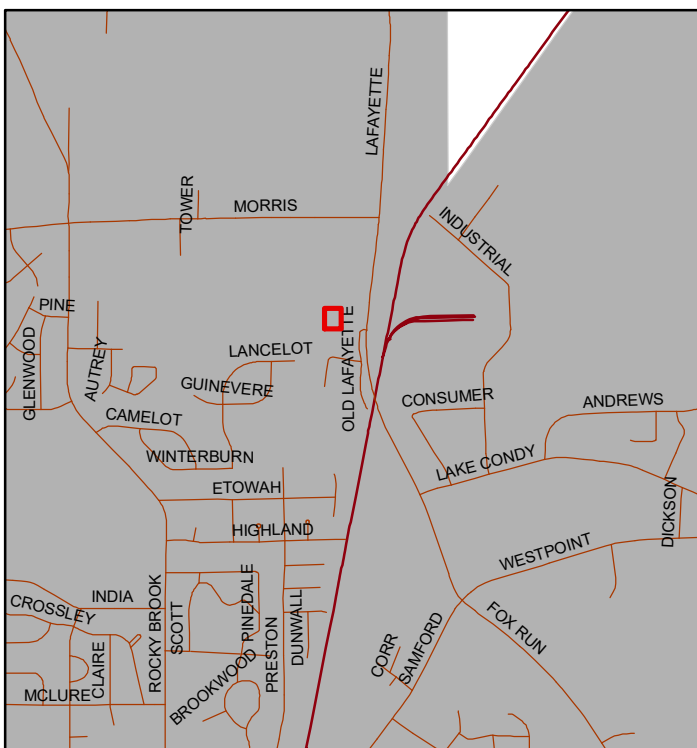
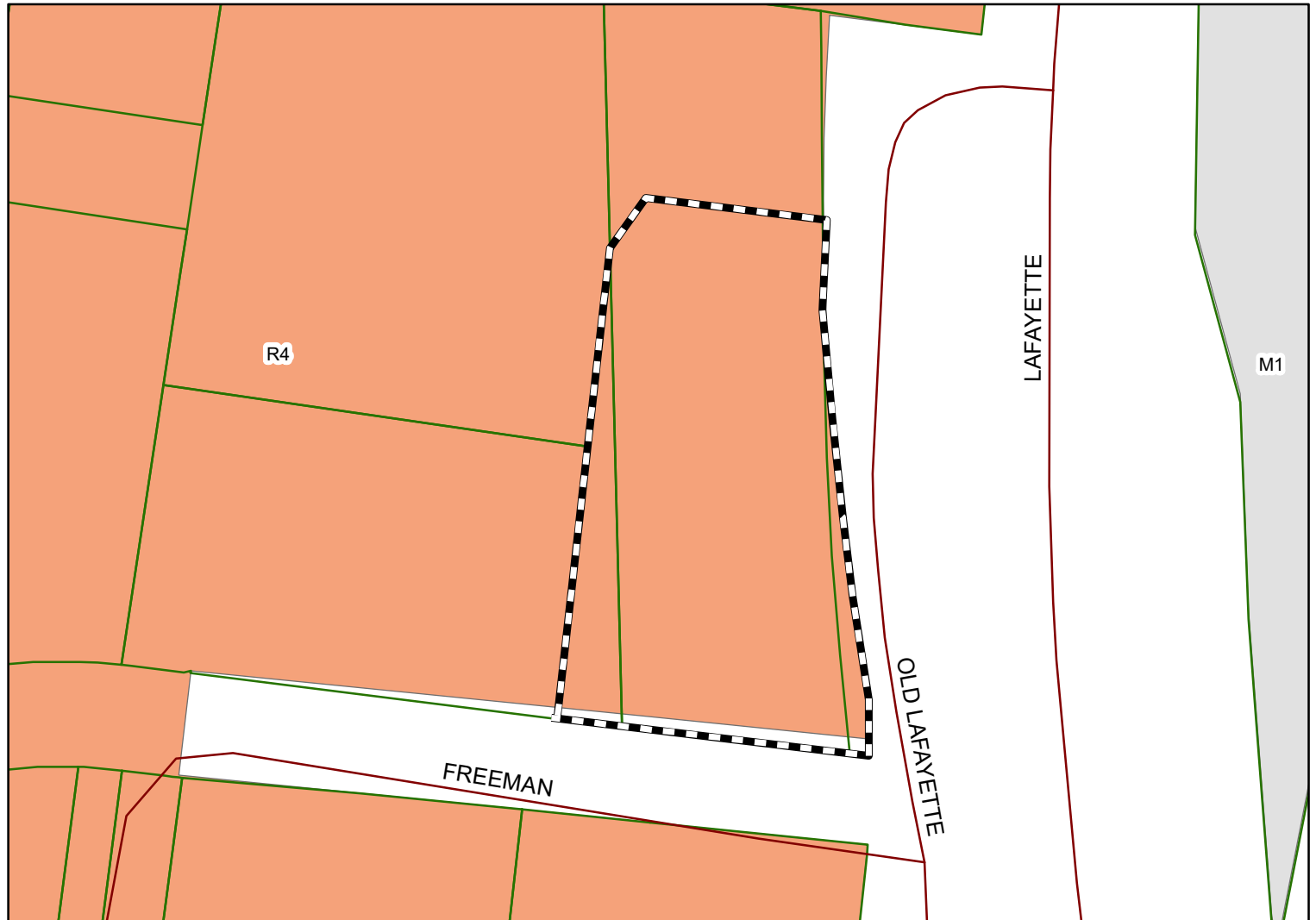
DEADLINE: 12/1/21 MEETING: 12/21/21

SITE ADDRESS: <u>Merlin Street</u>			
PROPERTY OWNER: <u>BC Stone Contracting, LLC</u>			
APPLICANT/AUTHORIZED REPRESENTATIVE: <u>Blake Rice, Barrett-Simpson, Inc.</u>			
MAILING ADDRESS: <u>223 South 9th St. Opelika, AL 36801</u>			
PHONE NUMBER: <u>334-745-7026</u>		FAX NUMBER: <u>334-745-4367</u>	
EMAIL ADDRESS: <u>brice@barrett-simpson.com</u>			
TYPE OF PLAT APPROVAL REQUESTED			
☐ SKETCH PLAN	☐ ADMINISTRATIVE	☒ PRELIMINARY	☒ FINAL
Does the subdivision require any other official action by the City? <u>No</u>			
☐ Annexation		☐ Rezoning	
		☐ Other _____	
PARCEL INFORMATION			
Subdivision Name: <u>Camelot Townhomes, Phase 2</u>		Number of Lots: <u>7</u> x \$3.00 = \$ <u>21.00</u>	
Current Land Use: <u>Vacant</u>		Number of APO: <u>3</u> x \$7.00 = \$ <u>21.00</u> (Adjacent Property Owners)	
Current Zoning: <u>R-4</u>		Fee: <u>\$75.00</u>	
Proposed use of the Subdivision: <u>Townhomes</u>		TOTAL = <u>\$117.00</u>	
☒ Residential		☐ Commercial	
☐ Manufacturing/Industrial		☐ Office/Institutional	
		PAID _____	
I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Camelot Townhomes, Phase 2</u> Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.			
OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE: <u>Blake Rice</u>		12/1/21 DATE	
(PRINT NAME) <u>Blake Rice, Barrett-Simpson, Inc.</u>			

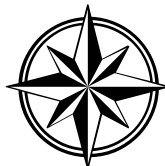
CAMELOT TOWNHOMES PHASE 2 SUBDIVISION

MERLIN STREET

PRELIMINARY AND FINAL APPROVAL, E-5



The applicant is requesting final approval for 7 townhome lots (28' x 140' est.) The subdivision is located in the R-4 zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date:	December 21, 2021
Subdivision:	Camelot Townhomes SD, Phase 2
Agenda Item #:	E-5
Action Requested:	Final Approval
Location of Property:	Merlin Street
Property Owner(s):	BC Stone Contracting, LLC Blake Rice, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	R-4
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0067G & #01081C0090G – Flood Zone “X” - Area is outside the 0.2% annual chance flooding.

At the July 2018 meeting, the Planning Commission was granted preliminary approval for single family homes and 22 townhome lots; the townhomes were also granted conditional use approval at the July meeting. The 3.6 acre development is bordered by two streets (Freeman Avenue and Old Lafayette Road) but access to the townhomes is from Merlin Street only. Merlin Street ends at the 3.6 acre townhome development; a 24’ private driveway is provided from Merlin street to the townhome units. The townhome units are along the north, east, and south property lines of the development; a 28,000 sf common yard area is in the middle of the lot.

A HOA (Homeowners Association) for the townhome development provides requirements and responsibilities to townhome owners concerning HOA fees, and the maintenance and repairs of all outside common area such as driveway, yard area, and parking spaces. At the April 2021 Planning Commission meeting, 7 townhome lots in Phase 1 along the south property line were granted final approval; these townhome units have been constructed.

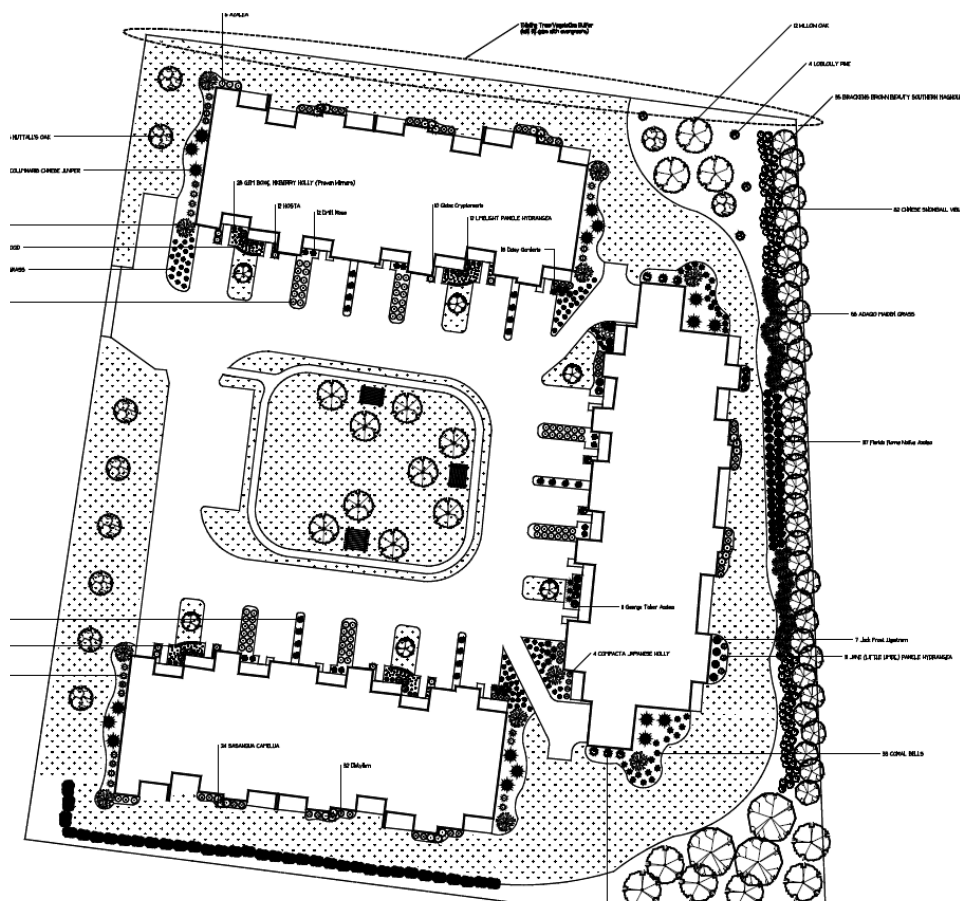
Today’s final plat approval request is for 7 townhome lots along the east side (near Old Lafayette Road) of the townhome development. The 7 townhomes are an increase from the five townhomes

approved in 2018; the two unit increase is minor; density changes from 6.06 to 6.62 units per acre. The minimum lot size and lot width for a townhome development with individual ownership is 2,400 sf and 20 feet. The seven lots range from 3,700 sf to 4,078 sf; lot width ranges from 27.9' to 30.29'. Each townhome lot includes a front and rear yard; the rear yard of each townhome exceeds 50% of a townhome's first floor area as required in the Townhome Standards. Each townhome unit will be sold with property (fee simple) that includes a front & rear yard, and two parking spaces per townhomes provided. A garage is provided for each townhome

A landscape plan is provided below that was approved at the April 2021 Planning Commission meeting. A landscape buffer will be planted along the east property line lot to buffer the townhome from Old Lafayette Road. A 6' high wooden fence has been installed along the east property line.

Staff recommends final approval for the seven townhome units subject to the following:

1. Add a signature line for the Chairman of the Planning Commission.
2. Install landscaping and buffer for phase two as shown on landscape plan.
3. If a dumpster is proposed for townhome units an enclosure on all sides required.
4. After site inspection and approval of the above improvements by staff, then plat signatures and recording of final plat will be completed.



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

Opelika Utilities presently serves this subdivision.

Opelika Power Services Report

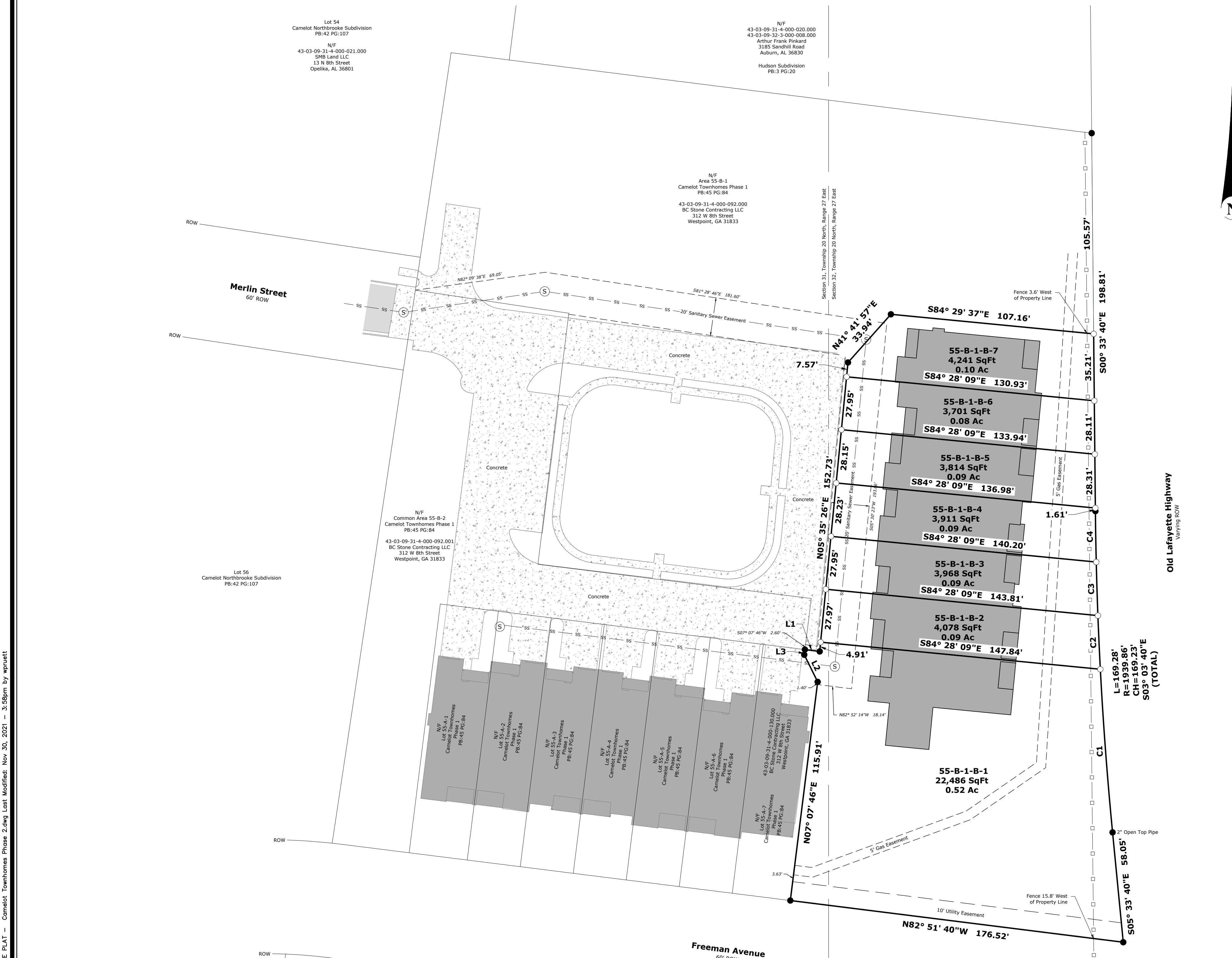
This subdivision is outside the Opelika Power Service territory.

Drawing Name: S:\2018\18-0226 BC Stone - Camelot - Opelika\Map\Townhomes Final Plats\ADMINISTRATIVE PLAT - Camelot Townhomes Phase 2.dwg Last Modified: Nov 30, 2021 - 3:59pm by wpsuett

Legend
1/2" Rebar Found - Orange Cap
Stamped AL CA 718 LSF000600
(unless otherwise noted)
1/2" Rebar Set - Orange Cap
Stamped AL CA 718 LSF000600
Concrete Monument Found
Concrete Monument Set with
Plastic Identification Cap
Calculated Point
RLPY Real Property Book
MB: Map Book
DB: Deed Book
PB: Plat Book
PG: Page
(R) Record Bearing or
Distance
(TYP.) Typical Example
ROW Right-of-Way
N/F Now or Formerly
SS Sewer Line w/ Sanitary
Sewer Manhole
Wire Fence



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors
706 12th STREET, PRICHARD CITY, AL 36868 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, DAFALIA, 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)



PLAT OF

A REDIVISION OF LOT 55-B-1-B OF CAMELOT TOWNHOMES PHASE 2

BEING A PART OF SECTIONS 31 & 32, TOWNSHIP 20 NORTH, RANGE 27 EAST, OPELIKA, LEE COUNTY, ALABAMA

- NOTES**
- Survey North and Basis for Survey is referenced to:
-Administrative Plate of A Redivision of Lot 55-B-1 of Camelot Townhomes Phase 1, Plat Book 45, Page 125, Probate Office, Lee County, Alabama.
 - According to the FEMA FIA NFIP Flood Insurance Rate Map (FIRM), Map No. 01081C0067G & 01081C0090G, effective November 02, 2011, the subject property is located:
-Zone X (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 of each side of front and side lot lines. Easement not valid for side lot lines of Lots 55-B-1-B-2 thru 55-B-1-B-8.
 - 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:
-7 Lots
-1.06 Acres Total (46,199 Sq Ft.)
 - No driveway access allowed to Freeman Avenue or Old Lafayette Highway.

SURVEYOR'S CERTIFICATE

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

Jonathan A. Ham, PLS
Alabama License No. 34761

Date: _____

DEDICATION

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

Bryan C. Stone
Managing Member

Date: _____

ACKNOWLEDGMENT
LEE COUNTY
STATE OF ALABAMA

I, _____, Notary Public in and for said County, in said State, hereby certify that Bryan C. Stone, 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 me hand and official seal this _____ day of _____ 2021.

Notary Public

Line Table		
Line #	Length	Direction
L1	7.85'	S82° 52' 14"E
L2	15.92'	S26° 19' 36"E
L3	2.73'	S07° 07' 46"W

Curve Table			
Curve #	Arc Length	Radius	Chord Distance
C1	86.06'	1939.86'	S04° 17' 25"E 86.05'
C2	28.25'	1939.86'	S02° 36' 08"E 28.25'
C3	28.18'	1939.86'	S01° 46' 08"E 28.18'
C4	26.80'	1939.86'	S00° 57' 25"E 26.80'

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: _____

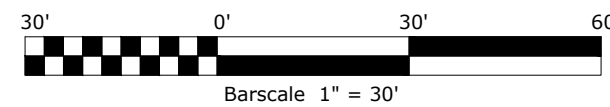
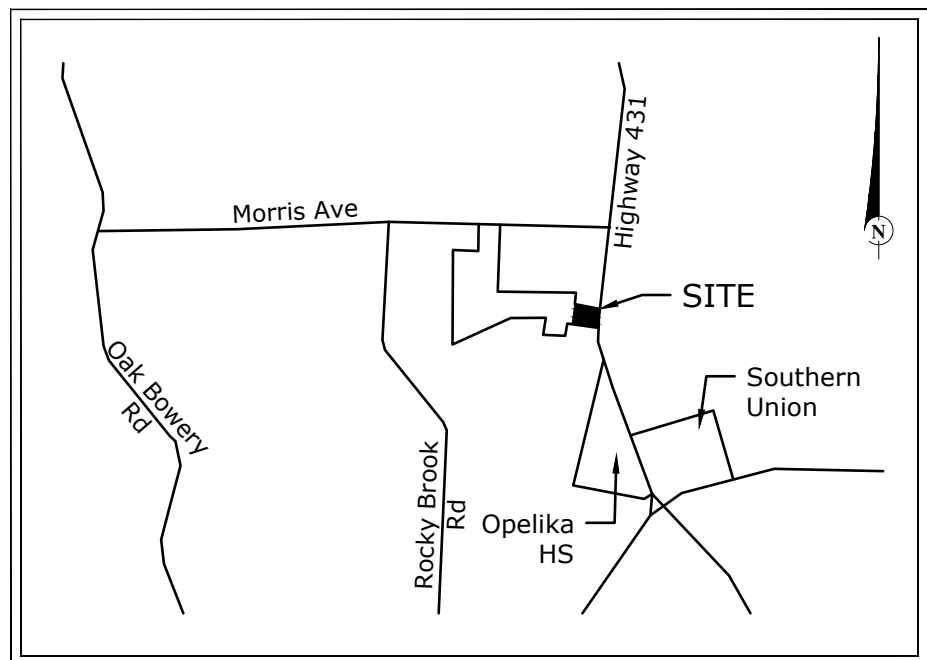
Accepted by the Opelika Utilities, Opelika, Alabama:

Opelika Utilities: _____ Date: _____

Accepted by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: _____ Date: _____

VICINITY MAP
not to scale



PROJECT NO: 18-0226
SCALE: 1" = 30'
FIELD BY: WHP/ARD
DRAWN BY: BES
FIELD DATE: 08/11/2021
DRAW DATE: 08/18/2021



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



DEADLINE: 12/07/21 MEETING: _____

SITE ADDRESS: 2015 South Uniroyal Road
PROPERTY OWNER: Edgar Hughston Builder Inc.
APPLICANT/AUTHORIZED REPRESENTATIVE: Mark D. Strozier
MAILING ADDRESS: 1654 Farmhouse Road Ellerslie Ga 31807
PHONE NUMBER: 706-573-1525 **FAX NUMBER:** _____
EMAIL ADDRESS: markd@stroziersurveying.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: Drakes Landing
 Current Land Use: Residential
 Current Zoning: PUD
 Proposed use of the Subdivision: 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

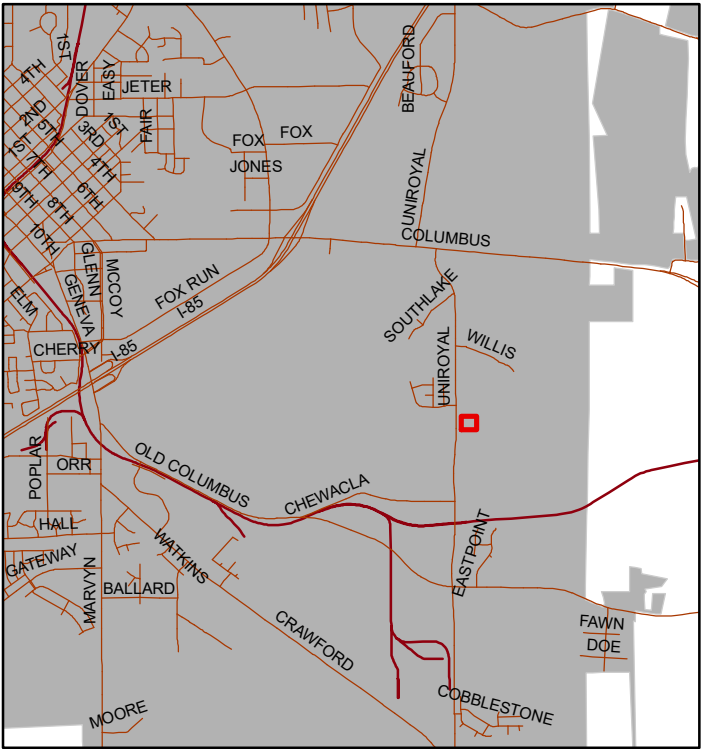
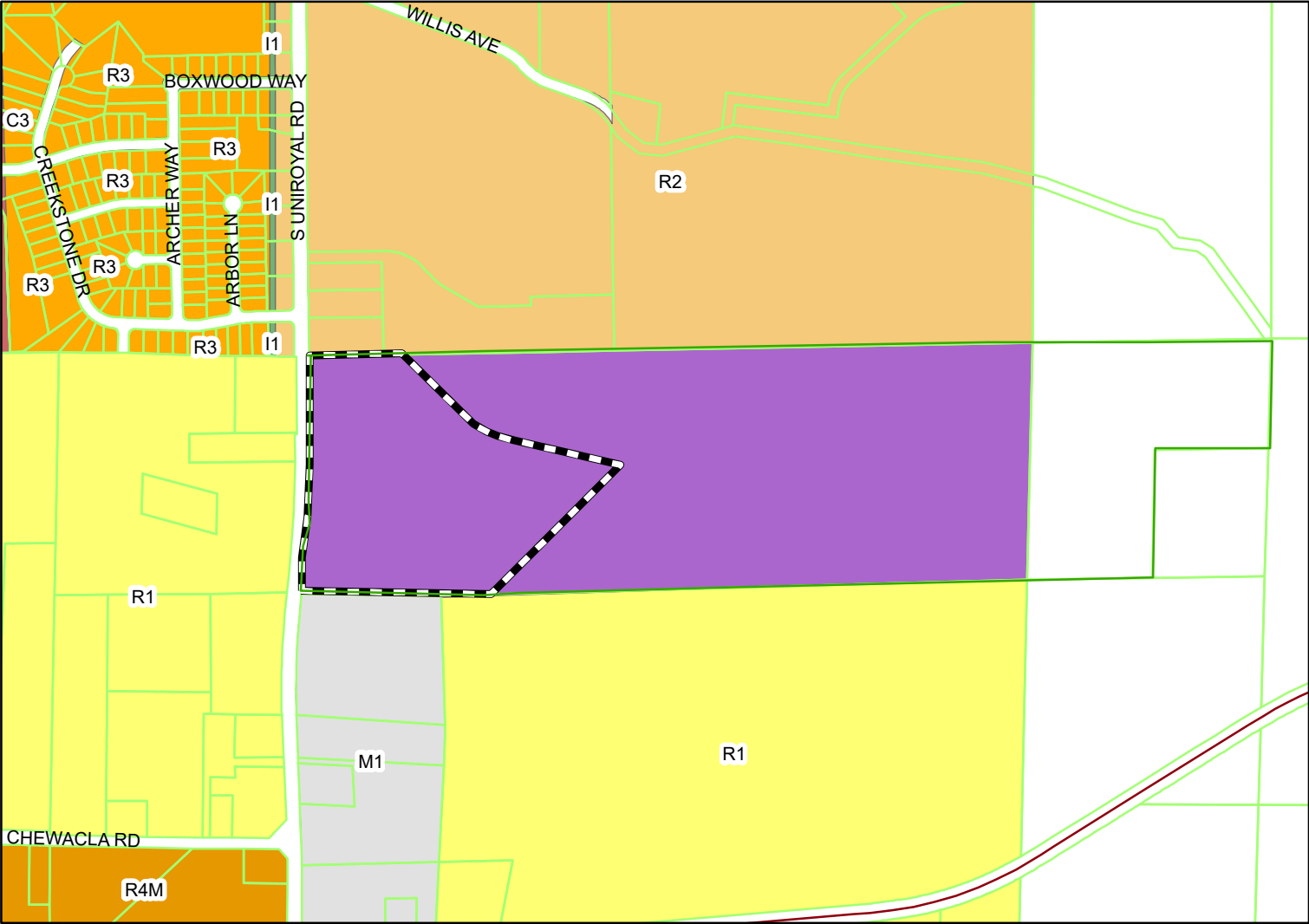
TOTAL = \$75.00

PAID \$75.00 *Ed*

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Drakes Landing 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: <i>Mark D. Strozier</i>	12/07/21 DATE
(PRINT NAME) <u>Mark D. Strozier</u>	

DRAKES LANDING PHASE 1 SUBDIVISION
 2015 SOUTH UNIROYAL ROAD
 FINAL APPROVAL, F-6



The applicant is requesting final approval for 65 single family home lots. The lots range from 15,050 sf to 36,550 sf. Preliminary approval was granted at the April 2020 PC meeting. The property is located in the Drake PUD zoning district.



Subject Property

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

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Subdivision: Drake's Landings Phase 1

Agenda Item #: F-6

Action Requested: Final Approval

Location of Property: 2015 South Uniroyal Road

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

Current Land Use: Undeveloped

Current Zoning: PUD

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

Staff Comments:

The applicant is requesting final plat approval for a 65-lot subdivision. The 65 lots are Phase 1 of the Drakes Landing PUD residential subdivision. The master plan shows a total of 190 lots.

Single family homes will be built on 63 lots. Lot 500 is designated "unbuildable" on the plat; the area labeled "Future Development" is the 64th lot. The 63 single family home lots exceed the minimum 15,000 sf lot size requirement; The single family home lots range from 15,246 sf to 36,590 sf. The minimum lot width is 60 feet. All lots meet the 60 foot width at the property line or at the 25 foot front setback line. Minimum building setbacks are 25' front, 8' side yard, 20' rear yard, and 25' side on street (corner lots).

From previous public hearings on the rezoning of the Drake's Landings property, a residential buffer is required along the rear property line of lots that border an adjacent residential lot. On some lots, either a 25-foot-wide natural undisturbed buffer or a 6' high opaque fence is required along the rear lot line. On the following lots, a 6 foot high opaque fence is required along the rear lot line: A 6' high opaque fence is required along the rear property lines of Lots 15 and a 40 foot portion of Lot 16 located on the south property line of the subdivision, and a 6' high opaque fence is required along the rear property lines of Lots 56 thru 58 on the north side of the subdivision. For all other single family

lots in Phase 1, if a landscape buffer is selected rather than a 6' fence the buffer should provide evergreen plantings to provide a near impervious visual barrier. If a natural visual barrier is inadequate, then evergreen trees are required in those areas, so a visual barrier is provided in three growing seasons.

Recommendation

Staff recommends final plat approval subject to the following:

1. Add the right-of-way width on all streets. inset
2. Match up or correspond the iron pin symbol shown on plat with the iron pin symbol identified in the legend
3. Provide a lot number and acreage of the parcel labeled "Future Development"
4. Provide easement(s) that affect the "Future Development" parcel
5. Provide the adjacent property owners to the "Future Development" parcel (Note: #3,4,and 5 can be provided on an inset or separate paper)
4. Install sidewalks on at least one side of the street where homes are constructed, and sidewalks provided to access the designated open space areas shown on plat.
5. Approve proposed minimum building setbacks on plat: 25' front yard, 8' side yard, 20' rear yard, and 25' side on street (corner lots).
6. Installation of Residential Buffer (according to lot numbers as shown on final plat):
 - (a) Install a 6' high opaque fence on Lot 15 and on a 40 foot portion of the rear property line of Lot 16 that adjoins the adjacent residential zoned property.
 - (b) Install a 6' high opaque fence along the rear property lines of Lot 56, 57, 58.
 - (c) For all other residential lots that adjoins this subdivision, install a 25-foot-wide natural undisturbed buffer or a 6' high opaque fence along the rear lot line of residential lots that abuts the north, south, and west perimeter property lines.
7. Include in the performance bond the cost for installing the required 6' opaque fence for the lot numbers listed in #6 above.
8. Lot 500 is designated "unbuildable". From the rezoning public hearing, a Drake Landing HOA (Homeowner's Association) will be established. On the final plat, from HOA documents provide who is responsible for maintenance of Lot 500 and the lot labeled "Future Development" and include provisions concerning the use(s) allowed for Lot 500 and the lot labeled "Future Development".

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.

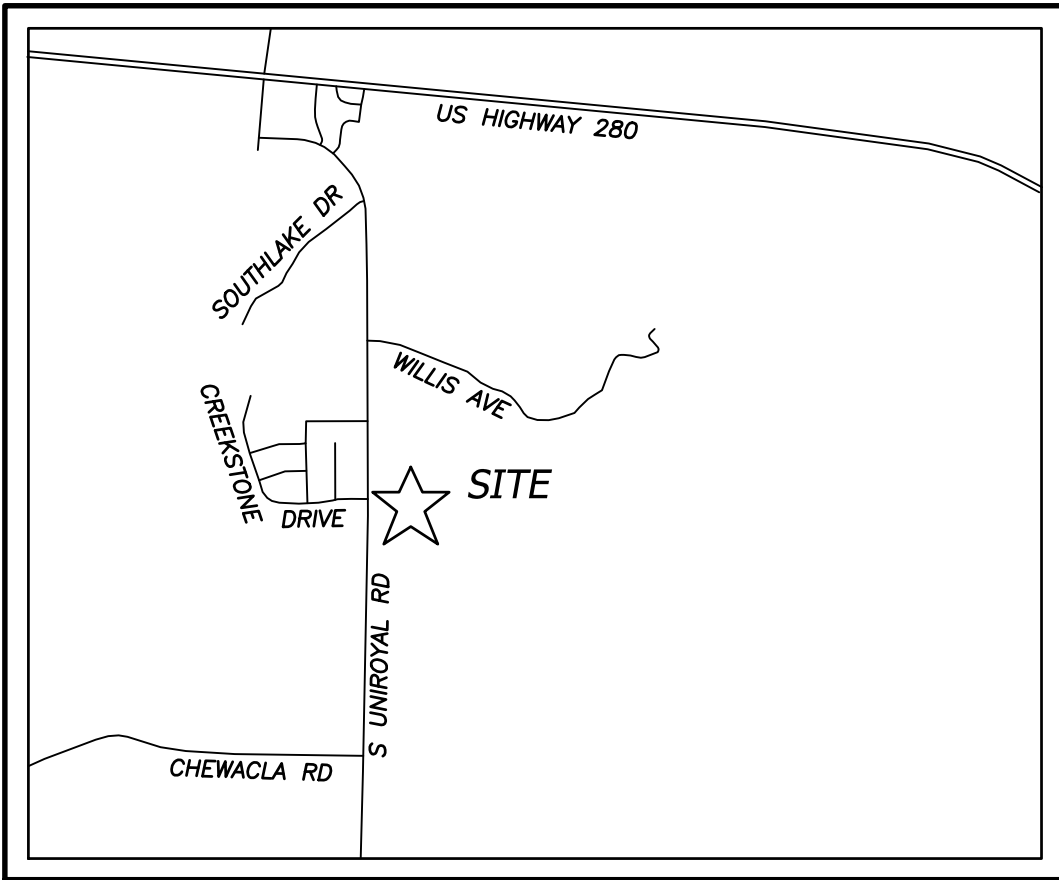
If these requirements are met, the Engineering Department recommends final plat approval.

Opelika Utilities Board Report

Opelika Utilities recommends approval.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.



VICINITY MAP
SCALE: NTS

SURVEY NOTES

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF GREATER THAN ONE FOOT IN 75,000 FEET
2. THE FOLLOWING TYPE OF EQUIPMENT WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT: TOPCON GT-503 & CARLSON RT4 DATA COLLECTOR
3. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR LEE COUNTY, ALABAMA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 101081C0089G, EFFECTIVE DATE NOVEMBER 2, 2011 AND FOUND NO PORTIONS OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 416,513 FEET.
5. PROPERTY AS DESCRIBED HEREON IS CONTIGUOUS, WITH NO GAPS AND/OR GORES.
6. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR WITH A BLUE PLASTIC CAP STAMPED "STROZIER CA-1133-LS", UNLESS OTHERWISE NOTED.
7. PROPERTY DEED: DEED BOOK 2594, PAGE 861
8. TAX PARCEL ID: 10 05 22 0 000 002.000
9. PROPERTY OWNER: EDGAR HUGHSTON BUILDER INC.
10. TOTAL LOTS: 64 LOTS
11. LOT AREA (THIS SECTION): 27.03 ACRES
12. SECTION 1 AREA: 31.89 ACRES
13. RW AREA (THIS SECTION): 4.86 ACRES
14. PROPERTY HAS ACCESS TO PUBLIC RIGHT-OF-WAY:
- S UNIROYAL RD
15. PROPERTY ZONED: PUD (LOW DENSITY RESIDENTIAL)
MINIMUM 60' LOT WIDTH AS MEASURED AT THE BUILDING.
SETBACKS:
FRONT = 25 FEET
SIDE = 8 FEET
SIDE STREET = 25 FEET
REAR = 20 FEET
MAXIMUM BUILDING HEIGHT: 40 FEET
MAXIMUM BUILDING AREA: 40%
MINIMUM LOT SIZE: 15,000 SQUARE FEET
16. UTILITIES PROVIDED BY:
ELECTRIC: OPELIKA POWER SERVICES
WATER: OPELIKA UTILITIES
SEWER: OPELIKA PUBLIC WORKS - WASTEWATER DIVISION
17. NO EXISTING BUILDINGS ON SURVEYED PROPERTY
18. AS PER PLANNING COMMISSION A 6' HIGH OPAQUE FENCE IS REQUIRED ALONG THE REAR OF LOTS 6-16 AND 55-58 THAT ADJOINS ADJACENT PROPERTY.

LEGEND

- IRON PIN SET - 1/2" REBAR
- IRON PIN FOUND - AS NOTED
- △ CALCULATED POINT
- IPF IRON PIN FOUND
- CTP CRIMP TOP PIPE
- OTF OPEN TOP PIPE
- RB REBAR
- EXIST EXISTING
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- P PROPERTY LINE
- S.S.E. SANITARY SEWER EASEMENT
- D.E. DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT
- B.S.L. BUILDING SETBACK LINE
- N.T.S. NOT TO SCALE
- D.B. DEED BOOK
- P.C. PLAT BOOK
- P.C. PAGE
- S/D SUBDIVISION
- DR DRIVE
- RD ROAD
- AC ACRE(S)
- SEC. SECTION
- T TOWNSHIP
- R RANGE
- N NORTH
- S SOUTH
- E EAST
- W WEST
- NW NORTHWEST
- NE NORTHEAST
- SW SOUTHWEST
- SE SOUTHEAST
- N/F NOW OR FORMERLY
- ° DEGREES
- ' MINUTES IN A BEARING
- " SECONDS IN A BEARING
- ' FEET IN A DISTANCE
- " INCHES IN A DISTANCE

APPROX. SECTION LINE

SOUTH UNIROYAL RD (RW VARIES)

MALLORY LANE

DRAKES LANDING

FUTURE
DEVELOPMENT

FUTURE
DEVELOPMENT

100 0 100 200
SCALE: 1" = 100'

OWNER & DEVELOPER:

EDGAR HUGHSTON BUILDER, INC.
JACK HUGHSTON
8219 NORTH CROSSING COURT
FORTSON, GA 31808
CONTACT # 706-568-7650

CERTIFICATES OF APPROVAL

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

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

CITY DIRECTOR: _____ DATE: _____

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

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITY BOARD: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____

OWNER CERTIFICATE

I, EDGAR HUGHSTON, THE OWNER(S) OF SAID LANDS SURVEYED BY STROZIER SERVICES, LLC, DO HEREBY CERTIFY THAT TITLE WAS AND IS VESTED IN SAID OWNER(S) AND JOIN IN THE FOREGOING STATEMENT MADE BY SAID STROZIER SERVICES, LLC AND AS STATED IN CODE OF ALABAMA 1975, § 35-2-50 ET SEQ., DO HEREBY CERTIFY THAT IT WAS AND IS MY (OUR) INTENTION TO DIVIDE SAID LANDS INTO LOTS AS SHOWN BY SAID PLAT AND DO HEREBY DEDICATE, GRANT, AND CONVEY FOR PUBLIC USE THE STREETS, ALLEYS AND PUBLIC GROUNDS AS SHOWN ON SAID PLAT.

SIGNED AND SEALED IN THE PRESENCE OF:

PROPERTY OWNER

STATE OF GEORGIA
COUNTY OF MUSCOGEE

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT _____, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

UTILITY STATEMENT

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, DRAINAGE AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.

SURVEYOR'S CERTIFICATION

I, MARK D. STROZIER, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY DECLARE THAT THIS PLAT OR MAP IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY CONDUCTED UNDER MY DIRECTION. I FURTHER DECLARE THAT THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENT BY BUILDINGS ON ADJOINING PROPERTY, THAT THE STRUCTURES NOW ERECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY OR EASEMENTS VISIBLE, BUT IS SUBJECT TO ANY SUCH RIGHTS OF WAYS AND EASEMENTS THAT MAY BE RECORDED OR UNRECORDED, OR JOINT DRIVE WAYS ON, OVER, OR ACROSS THIS PROPERTY, VISIBLE ON THE SURFACE EXCEPT AS SHOWN ON THIS PLAT.

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.

MARK D. STROZIER, ALABAMA PLS. #22999 12/06/2021
CERTIFICATE OF AUTHORIZATION NO. CA-1133-LS DATE

STROZIER'S
SERVICES, LLC

165 PARKHURST ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625

FINAL SUBDIVISION PLAT
FOR
DRAKE'S LANDINGS

SECTION 22, TOWNSHIP 19 N
RANGE 27 E

REV DATE DESCRIPTION

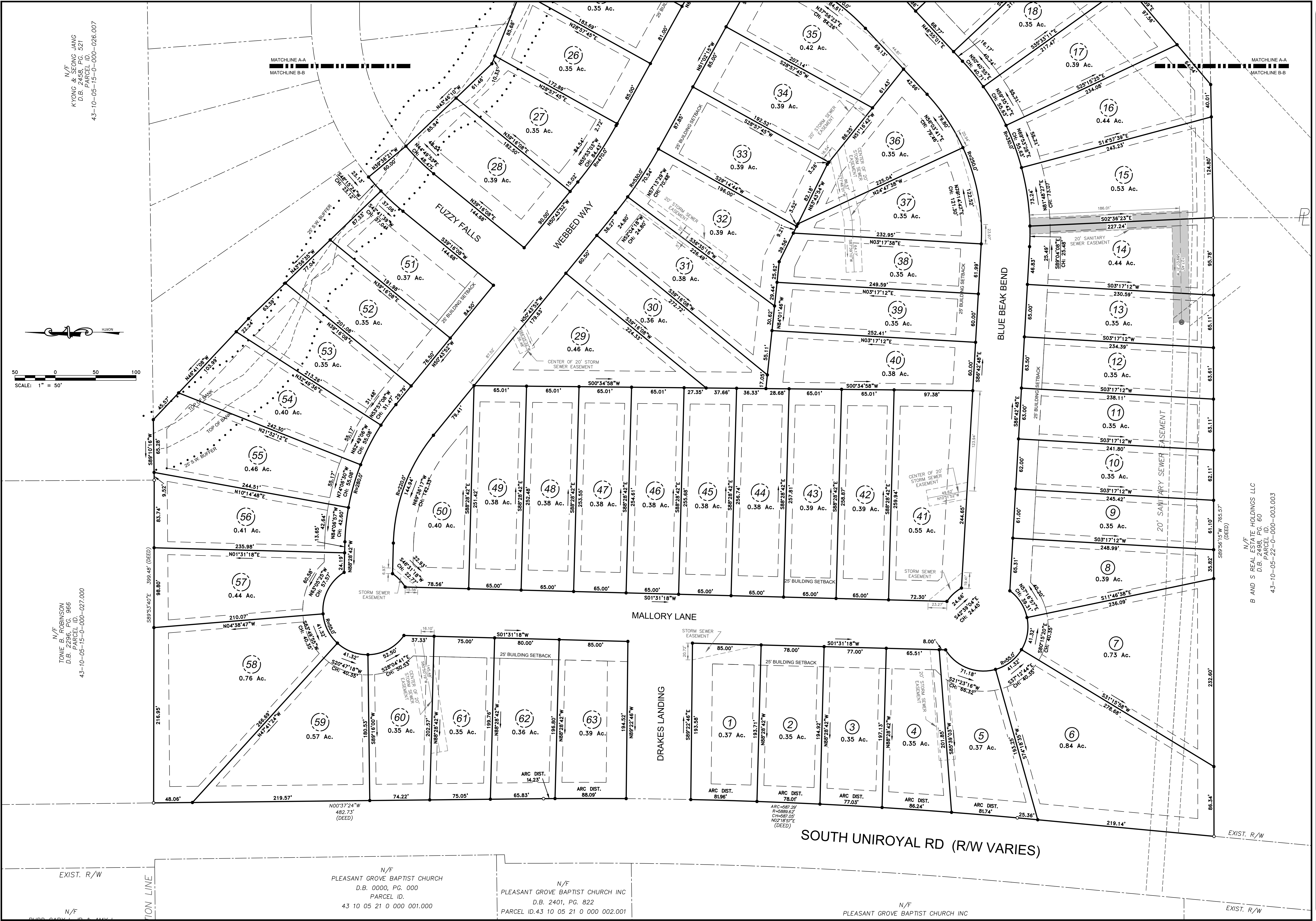
FINAL SUBDIVISION PLAT

FILE NO.: 21-064
DATE: 12/06/2021
SCALE: 1"=100'

DRAWN BY: MB
CHECKED BY: MDS



SHEET: 1 OF: 3



N/F
KYONG & SEONG JANG
D.B. 2458, PG. 521
PARCEL ID.
43-10-05-15-0-000-026.007

N/F
TONIE B. ROBINSON
D.B. 2296, PG. 966
PARCEL ID.
43-10-05-15-0-000-027.000

N/F
PLEASANT GROVE BAPTIST CHURCH
D.B. 0000, PG. 000
PARCEL ID.
43 10 05 21 0 000 001.000

N/F
PLEASANT GROVE BAPTIST CHURCH INC
D.B. 2401, PG. 822
PARCEL ID. 43 10 05 21 0 000 002.001

N/F
PLEASANT GROVE BAPTIST CHURCH INC
D.B. 2498, PG. 60
PARCEL ID.
43-10-05-22-0-000-003.003

STRO°ZI'ER"
SERVICES, LLC

165 PARADISE ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625

FINAL SUBDIVISION PLAT
FOR
DRAKE'S LANDINGS

LEE COUNTY
OPELIKA, ALABAMA

SECTION 22, TOWNSHIP 19 N
RANGE 27 E

REV	DATE	DESCRIPTION

FINAL SUBDIVISION PLAT

FILE NO.: 21-064
DATE: 12/06/2021
SCALE: 1"=50'

DRAWN BY: MB
CHECKED BY: MDS

REGISTERED
LAND SURVEYOR
MARK D. STROTHER

SHEET: 2 OF: 3

N/F
KYONG & SEONG JANG
D.B. 2458, PG. 521
PARCEL ID.
43-10-05-05-15-0-000-026.007

03/05/2020

MATCHLINE A-A
MATCHLINE B-B

FUTURE DEVELOPMENT

500
1.53 Ac.
(UNBUILDABLE)
LOT TO BE MAINTAINED BY
THE DRAKE'S LANDING
HOMEOWNERS ASSOCIATION

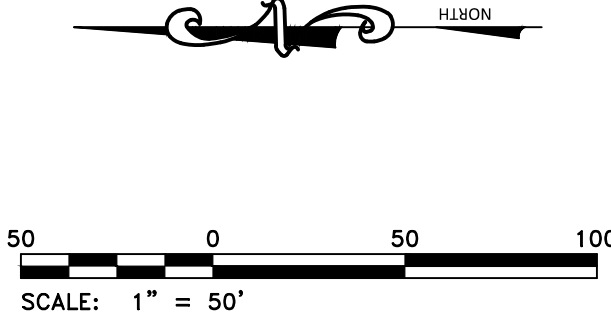
100' POWER EASEMENT

FUTURE DEVELOPMENT

N/F
REBECCA W. YOUNG & OLIVE W. PRICE
D.B. 192, PG. 300
PARCEL ID.
43-10-05-22-0-000-005.000
49-10-05-22-0-000-006.000

15' UTILITY EASEMENT

MATCHLINE A-A
MATCHLINE B-B



FINAL SUBDIVISION PLAT

FILE NO.: 21-064
DATE: 12/06/2021
SCALE: 1"=50'

DRAWN BY: MB
CHECKED BY: MDS



SHEET: 3 OF: 3

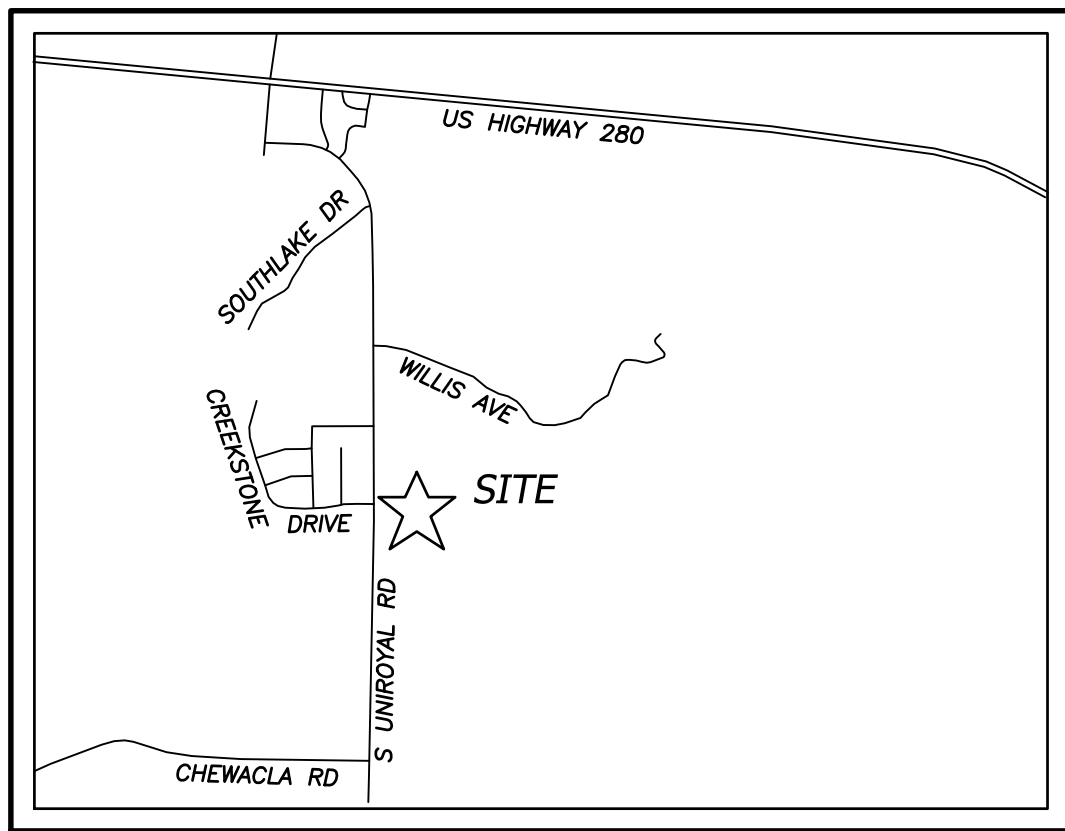
FINAL SUBDIVISION PLAT
FOR
DRAKE'S LANDINGS

SECTION 22, TOWNSHIP 19 N
RANGE 27 E

LEE COUNTY
OPELIKA, ALABAMA

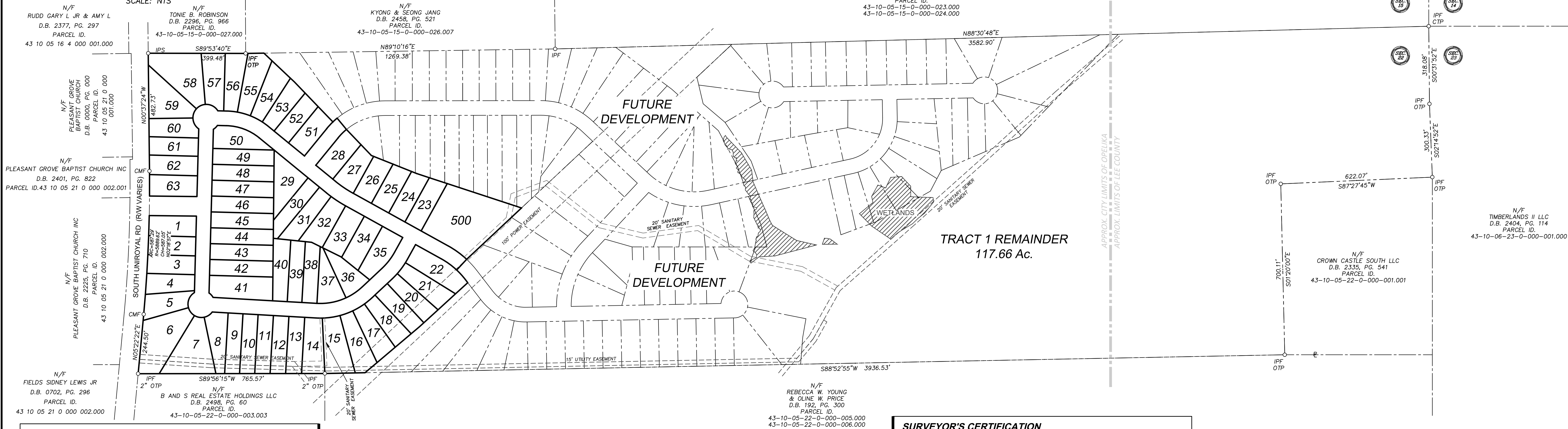
STRO°ZI'ER"
SERVICES, LLC

165 PARADISE ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625



VICINITY MAP

SCALE: NTS



SURVEY NOTES

- THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF GREATER THAN ONE FOOT IN 75,000 FEET.
- THE FOLLOWING TYPE OF EQUIPMENT WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT: TOPCON GT-S03 & CARLSON RT4 DATA COLLECTOR.
- I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR LEE COUNTY, ALABAMA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 11081C0089G, EFFECTIVE DATE NOVEMBER 2, 2011 AND FOUND NO PORTIONS OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 416,513 FEET.
- PROPERTY AS DESCRIBED HEREON IS CONTIGUOUS, WITH NO GAPS AND/OR GORES.
- ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR WITH A BLUE PLASTIC CAP STAMPED "STROZIER CA-1133-LS", UNLESS OTHERWISE NOTED.
- PROPERTY DEED: DEED BOOK 2594, PAGE 861
- TAX PARCEL ID: 10 05 22 0 000 002.000
- PROPERTY OWNER: EDGAR HUGHSTON BUILDER INC.
- TOTAL LOTS: 64 LOTS
- LOT AREA (THIS SECTION): 27.03 ACRES
- SECTION 1 AREA: 31.89 ACRES
- R/W AREA (THIS SECTION): 4.86 ACRES
- PROPERTY HAS ACCESS TO PUBLIC RIGHT-OF-WAY: - S UNROYAL RD
- PROPERTY ZONED: PUD (LOW DENSITY RESIDENTIAL)
MINIMUM 60' LOT WIDTH AS MEASURED AT THE BUILDING.
SETBACKS:
FRONT = 25 FEET
SIDE = 8 FEET
SIDE STREET = 25 FEET
REAR = 20 FEET
MAXIMUM BUILDING HEIGHT: 40 FEET
MAXIMUM BUILDING AREA: 40%
MINIMUM LOT SIZE: 15,000 SQUARE FEET
- UTILITIES PROVIDED BY:
ELECTRIC: OPELIKA POWER SERVICES
WATER: OPELIKA UTILITIES
SEWER: OPELIKA PUBLIC WORKS - WASTEWATER DIVISION
- NO EXISTING BUILDINGS ON SURVEYED PROPERTY
- AS PER PLANNING COMMISSION A 6' HIGH OPAQUE FENCE IS REQUIRED ALONG THE REAR OF LOTS 6-16 AND 55-58 THAT ADJOINS ADJACENT PROPERTY.

LEGEND

●	IRON PIN SET - 1/2" REBAR
○	IRON PIN FOUND - AS NOTED
CMF	CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND
CTP	CRIMP TOP PIPE
OTP	OPEN TOP PIPE
RB	REBAR
EXIST	EXISTING
P.O.B.	POINT OF BEGINNING
R/W	RIGHT OF WAY
PL	PROPERTY LINE
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
B.S.L.	BUILDING SETBACK LINE
N.T.S.	NOT TO SCALE
D.B.	DEED BOOK
P.B.	PLAT BOOK
PG.	PAGE
S/D	SUBDIVISION
DR	DRIVE
RD	ROAD
AC	ACRE(S)
SEC.	SECTION
T	TOWNSHIP
R	RANGE
N	NORTH
S	SOUTH
E	EAST
W	WEST
NW	NORTHWEST
NE	NORTHEAST
SW	SOUTHWEST
SE	SOUTHEAST
N/F	NOW OR FORMERLY
°	DEGREES
'	MINUTES IN A BEARING
"	SECONDS IN A BEARING
+	FEET IN A DISTANCE
+	INCHES IN A DISTANCE

UTILITY STATEMENT

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, DRAINAGE, AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.

OWNER CERTIFICATE

I, EDGAR HUGHSTON, THE OWNER(S) OF SAID LANDS SURVEYED BY STROZIER SERVICES, LLC, DO HEREBY CERTIFY THAT TITLE WAS AND IS VESTED IN SAID OWNER(S) AND JOIN IN THE FOREGOING STATEMENT MADE BY SAID STROZIER SERVICES, LLC AND AS STATED IN CODE OF ALABAMA 1975, § 35-2-50 ET SEQ., DO HEREBY CERTIFY THAT IT WAS AND IS MY (OUR) INTENTION TO DIVIDE SAID LANDS INTO LOTS AS SHOWN BY SAID PLAT AND DO HEREBY DEDICATE, GRANT, AND CONVEY FOR PUBLIC USE THE STREETS, ALLEYS AND PUBLIC GROUNDS AS SHOWN ON SAID PLAT.

SIGNED AND SEALED IN THE PRESENCE OF:

PROPERTY OWNER

STATE OF GEORGIA
COUNTY OF MUSCOGEE

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATION

I, MARK D. STROZIER, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY DECLARE THAT THIS PLAT OR MAP IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY CONDUCTED UNDER MY DIRECTION. I FURTHER DECLARE THAT THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENT BY BUILDINGS ON ADJOINING PROPERTY. THAT THE STRUCTURES NOW ERRECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY OR EASEMENTS VISIBLE, BUT IS SUBJECT TO ANY SUCH RIGHTS OF WAYS AND EASEMENTS THAT MAY BE RECORDED OR UNRECORDED, OR JOINT DRIVE WAYS ON, OVER, OR ACROSS THIS PROPERTY, VISIBLE ON THE SURFACE EXCEPT AS SHOWN ON THIS PLAT.

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.

12/20/2021
DATE
MARK D. STROZIER, ALABAMA PLS #22989
CERTIFICATE OF AUTHORIZATION NO. CA-1133-LS

CERTIFICATES OF APPROVAL

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

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

CITY DIRECTOR: _____ DATE: _____

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

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

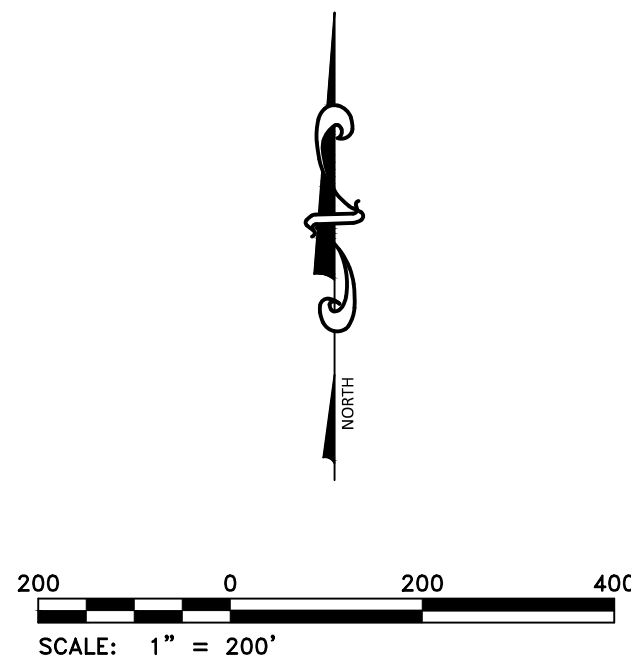
CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITY BOARD: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____



OWNER & DEVELOPER:

EDGAR HUGHSTON BUILDER, INC.
JACK HUGHSTON
8219 NORTH CROSSING COURT
FORTSON, GA 31808
CONTACT # 706-568-7650

STROZIER'S
SERVICES, LLC

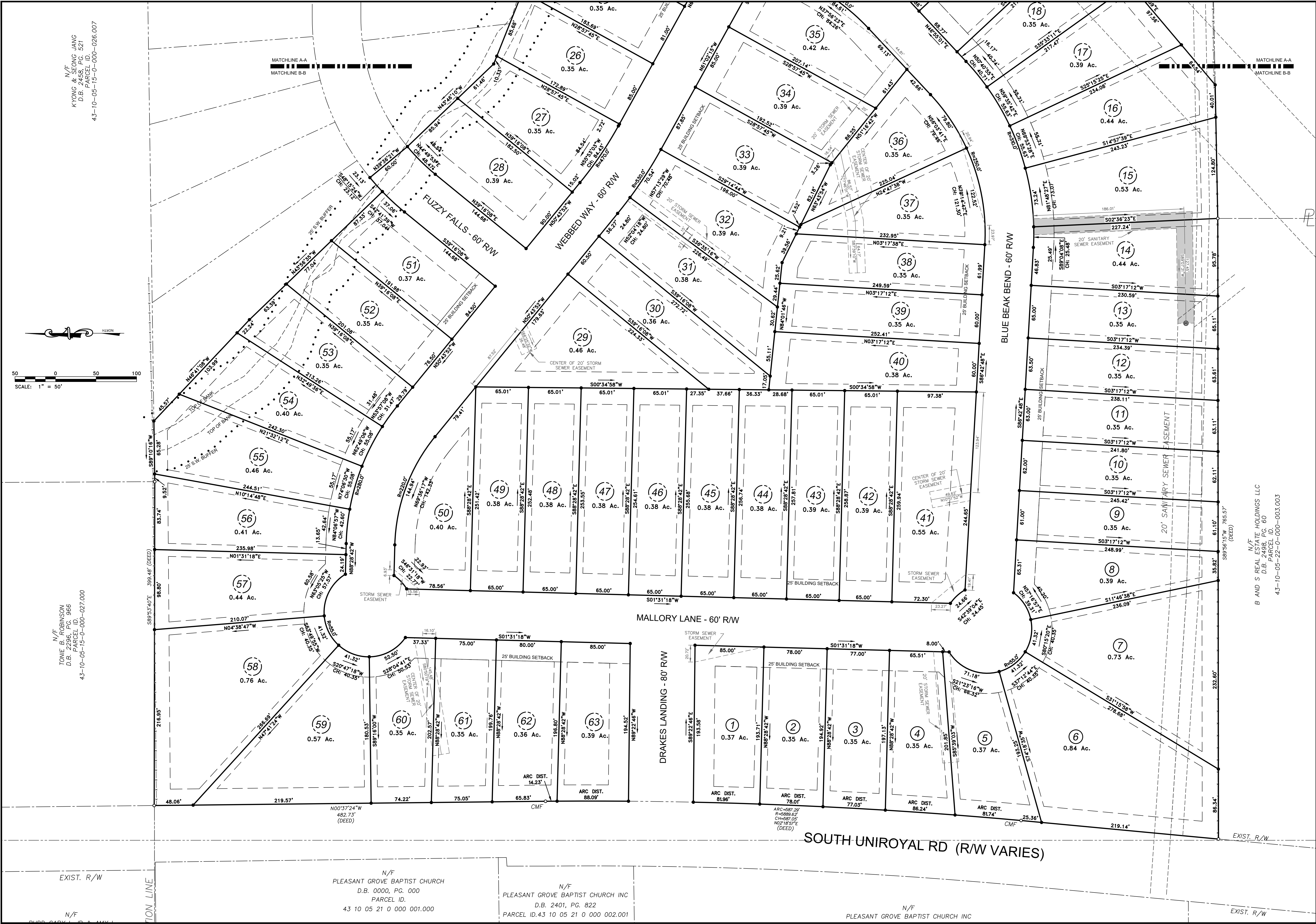
165 PARADISE ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625

FINAL SUBDIVISION PLAT
FOR
DRAKE'S LANDINGSLEE COUNTY
OPELIKA, ALABAMASECTION 22, TOWNSHIP 19 N
RANGE 27 E

FINAL SUBDIVISION PLAT

FILE NO.: 21-064
DATE: 12/20/2021
SCALE: 1"=200'DRAWN BY: MB
CHECKED BY: MDS

SHEET: 1 OF: 3



STRO°ZI'ER" SERVICES, LLC
165 PARADISE ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625

FINAL SUBDIVISION PLAT FOR DRAKE'S LANDINGS
LEE COUNTY, ALABAMA
SECTION 22, TOWNSHIP 19 N, RANGE 27 E

REV	DATE	DESCRIPTION

FINAL SUBDIVISION PLAT
FILE NO.: 21-064
DATE: 12/20/2021
SCALE: 1"=50'
DRAWN BY: MB
CHECKED BY: MDS

SHEET: 2

OF: 3

N/F
B AND S REAL ESTATE HOLDINGS LLC
D.B. 2498, PG. 60
PARCEL ID.
43-10-05-22-0-000-003.003

N/F
KYONG & SEONG JANG
D.B. 2458, PG. 521
PARCEL ID.
43-10-05-15-0-000-026.007

N/F
TONIE B. ROBINSON
D.B. 2296, PG. 966
PARCEL ID.
43-10-05-15-0-000-027.000

N/F
PLEASANT GROVE BAPTIST CHURCH
D.B. 0000, PG. 000
PARCEL ID.
43 10 05 21 0 000 001.000

N/F
PLEASANT GROVE BAPTIST CHURCH INC
D.B. 2401, PG. 822
PARCEL ID. 43 10 05 21 0 000 002.001

N/F
PLEASANT GROVE BAPTIST CHURCH INC

N/F
KYONG & SEONG JANG
D.B. 2458, PG. 521
PARCEL ID.
43-10-05-05-15-0-000-026.007

03/05/2020

MATCHLINE A-A
MATCHLINE B-B

FUTURE DEVELOPMENT

500
1.53 Ac.
(UNBUILDABLE)
LOT TO BE MAINTAINED BY
THE DRAKE'S LANDING
HOMEOWNERS ASSOCIATION

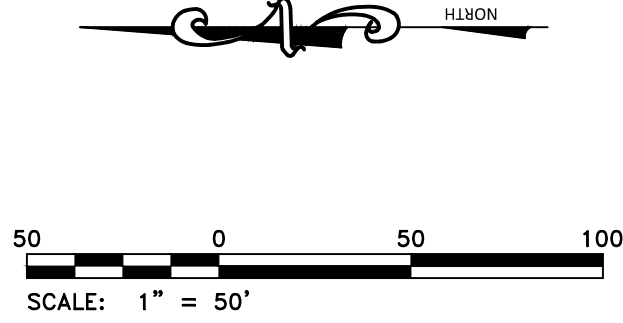
100' POWER EASEMENT

FUTURE DEVELOPMENT

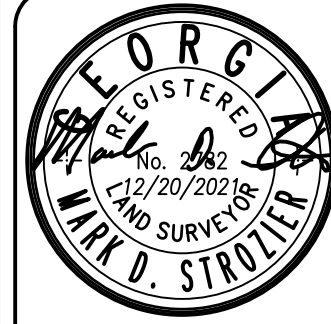
N/F
REBECCA W. YOUNG & OLIVE W. PRICE
D.B. 192, PG. 300
PARCEL ID.
43-10-05-22-0-000-005.000
49-10-05-22-0-000-006.000

15' UTILITY EASEMENT

MATCHLINE A-A
MATCHLINE B-B



FINAL SUBDIVISION PLAT
FILE NO.: 21-064
DATE: 12/20/2021
SCALE: 1"=50'



SHEET: 3 OF: 3

FINAL SUBDIVISION PLAT
FOR
DRAKE'S LANDINGS

SECTION 22, TOWNSHIP 19 N
RANGE 27 E

LEE COUNTY
OPELIKA, ALABAMA

STRO°ZI'ER°
SERVICES, LLC

165 PARADISE ROAD - ELLERSLIE, GEORGIA - 31807 - (706)573-1625



2055

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

AGENDA ITEM #

7



DEADLINE: 12/8/21 MEETING: _____

SITE ADDRESS: 0 Century Blvd
PROPERTY OWNER: Clayton Properties Group, Inc.
APPLICANT/AUTHORIZED REPRESENTATIVE: Clayton Properties Group, Inc./Jerry Howard
MAILING ADDRESS: 2128 Moores Mill Rd, Suite C, Auburn, AL 36830
PHONE NUMBER: (334) 884-6064 **FAX NUMBER:** (334) 884-6024
EMAIL ADDRESS: bbasquin@fg-inc.net

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: Legacy Village Townhomes Phase 1
Current Land Use: Vacant
Current Zoning: C2
Proposed use of the Subdivision: Townhomes

Number of Lots: 7 x \$3.00 = \$21
Number of APO: _____ x \$7.00 = \$_____
(Adjacent Property Owners)
Fee: \$75.00
TOTAL = _____
PAID _____

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

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

**OWNERS/AUTHORIZED
REPRESENTATIVE SIGNATURE:**

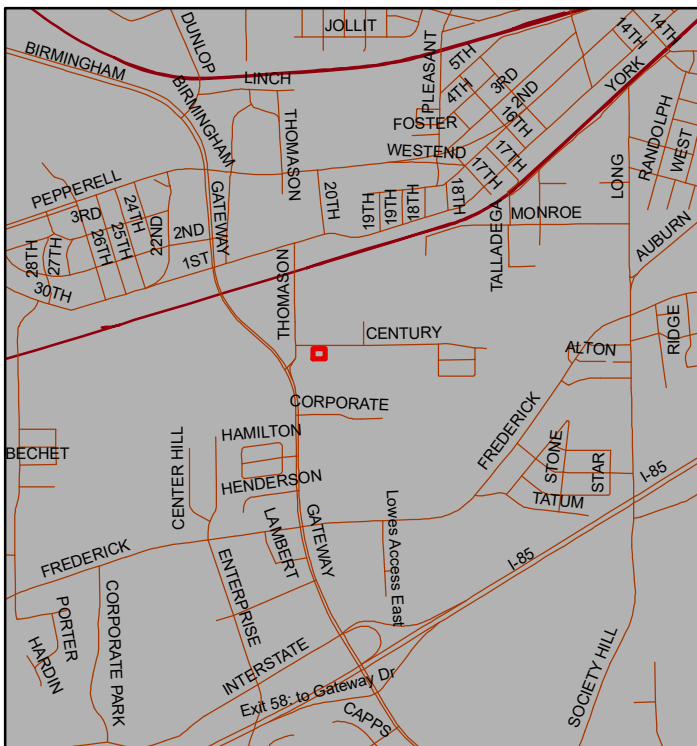
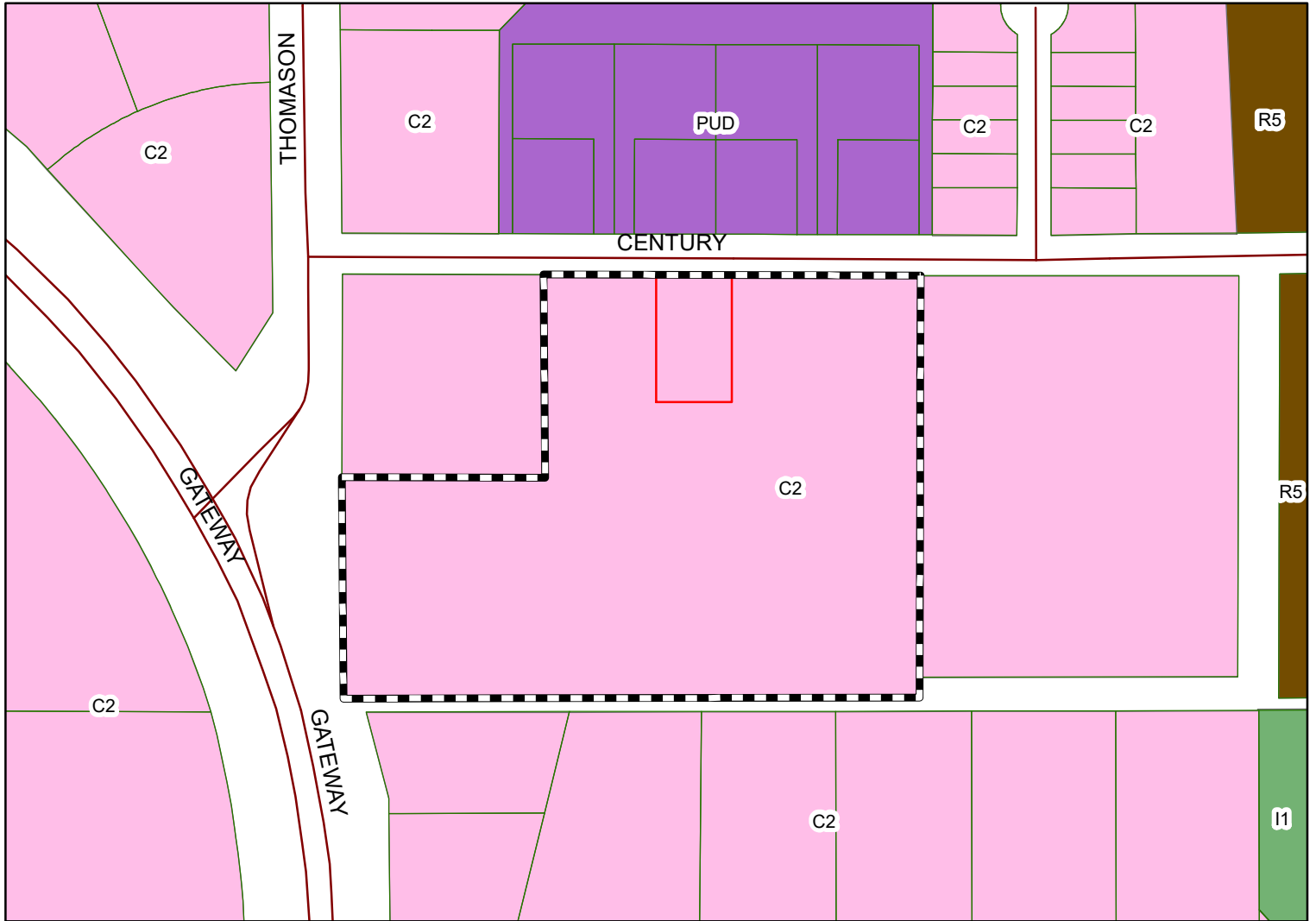
(PRINT NAME) Jerry Howard

12/7/2021
DATE

LEGACY VILLAGE TOWNHOMES PHASE 1 SUBDIVISION

CENTURY BOULEVARD

FINAL APPROVAL, F-7



The applicant is requesting final approval for seven lots including five townhome lots. The property is located in a C-2 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:	December 21, 2021
Subdivision:	Legacy Village Townhomes Phase 1
Agenda Item #:	F-7
Action Requested:	Final Approval
Location of Property:	Century Blvd
Property Owner(s):	Clayton Properties Group, Inc. Brooks Harris, authorized representative
Current Land Use:	townhome development (under construction)
Current Zoning:	R-4
Flood Zone:	FEMA – Nov 2, 2011 – MAP#01081C0069G . Portion of property lies in Zones X and AE as shown on plat. Zone X is minimal flooding; Zone AE , a zone of regulatory flooding.

Proposal

The applicant is requesting final plat approval for 7 townhome lots of a 55-lot townhome development on 10.2 acres. The 7 lots will have public street access to a new street - Legacy Circle. The preliminary plat for the 55 lots was approved at the April 2020 Planning Commission meeting; conditional use approval was at the December 2020 meeting.

The Townhome Standards require a minimum 1,800-sf lot area and a 20-foot lot width for townhome lots. The lot area of the seven lots range from 3,115 sf to 6,275 sf.; lot width ranges from 27 feet to 55 feet. The Standards also require that the front or rear yard area be no less than 50% of a townhome's first floor. The front yard area is about 900 sf for each lot; the rear yard area is larger than the front yard area; the 1st floor area of the largest townhome is 1,110; the front yard area at 900 sf is 80% of the first floor area; all townhomes exceed the 50% minimum yard requirement. In the Townhome Standards, the lots are also required to have an access strip (5 feet) along the rear of each property.

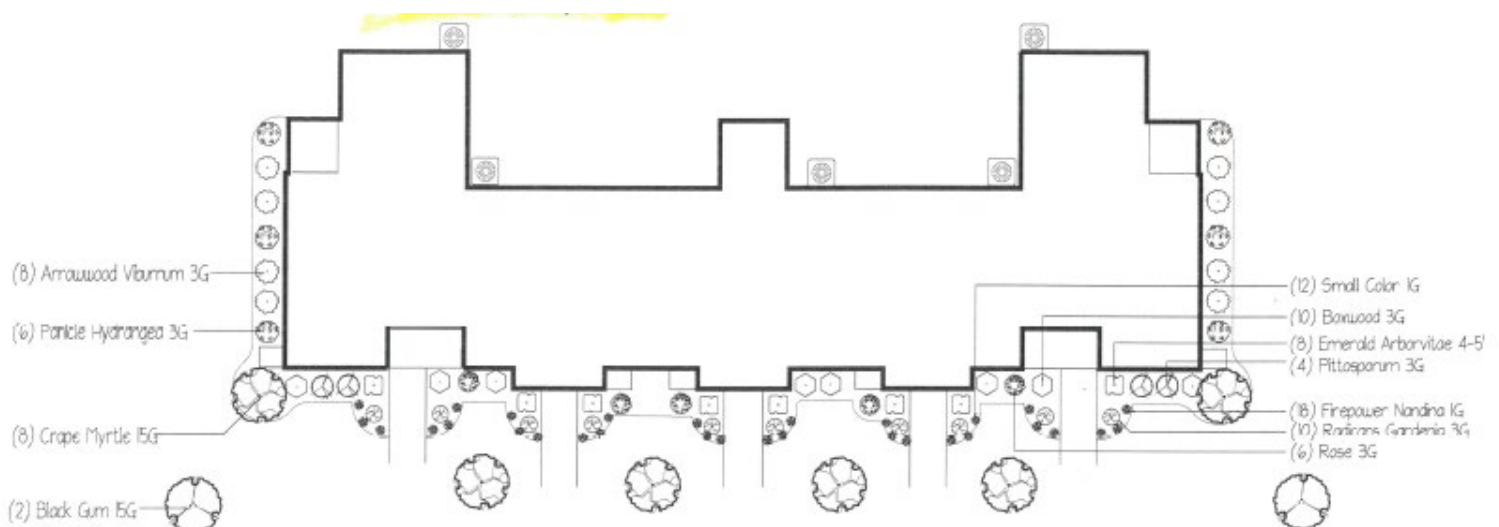
The 7 townhome lots (townhome & property) will be sold (fee simple) as all future townhomes lots in this development. A HOA (Homeowners Association) will be established for the townhome owners

that provides requirements and responsibilities concerning the maintenance and repairs of all outside common area such as yard area and parking spaces.

The Gateway Corridor Overlay district overlaps the townhome development, so Gateway standards such as exterior material and fencing apply. The exterior material of the townhomes are a combination of brick, lap siding, and board & batten siding; these materials were approved at the November 2021 PC meeting. Any fencing proposed should be consistent across all lots. If dumpsters are installed, dumpsters must be screened with materials compatible with the buildings.

Staff recommends preliminary and final approval subject to the following:

1. Change Note 7 concerning flood maps from “Auburn” to “Opelika”
2. Add a note on plat who will maintain all common areas
3. Install landscaping, grass, and & ground cover near the seven-unit townhome group as shown on landscape drawing below. (Landscape buffer along Century Blvd has been planted.)
4. Add a 5’ foot access strip/easement along the rear line as shown on the construction drawings.
5. If dumpsters are provided dumpsters must be screened with materials compatible with the townhome unit’s exterior materials.
6. If fencing is proposed, fencing shall be a uniform standard. This may be set by the homeowner’s association.
7. After site inspection and approval of the above improvements by staff, then plat signatures and recording of final plat will be completed.



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.

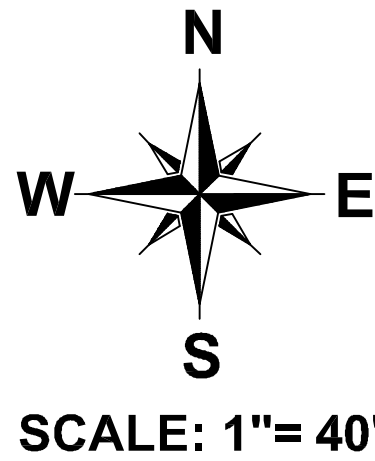
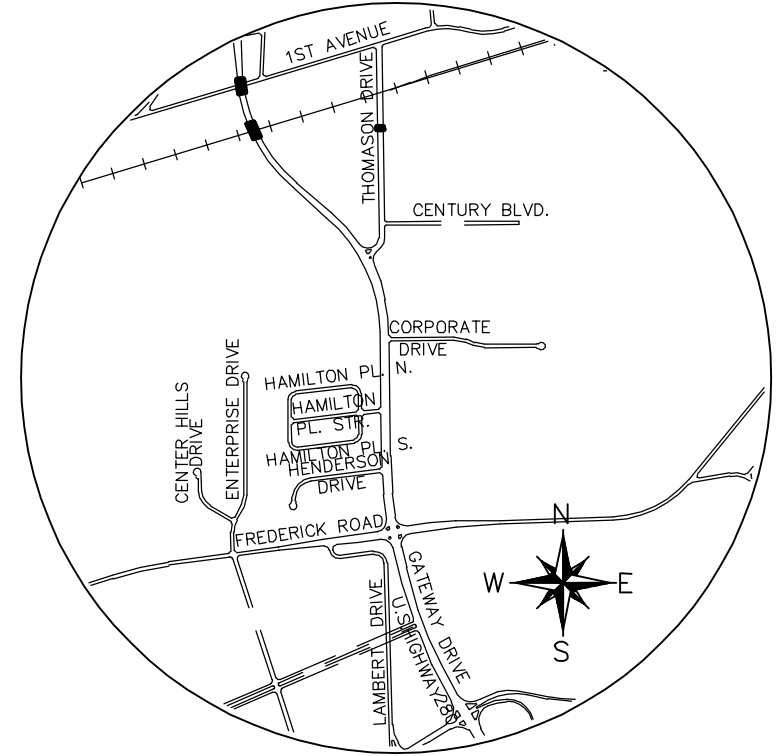
Opelika Utilities Board Report

Water service is accessible by Century Boulevard, Thomason Drive, and Gateway Drive.

Opelika Power Services Report

This subdivision is inside the Opelika Power Service territory.

LEGACY VILLAGE TOWNHOMES
PHASE 1



SCALE IN FEET

LINE	BEARING	DISTANCE
L1	N 89°51'14" E	20.00'
L2	S 00°43'30" E	127.66'
L3	S 89°16'30" W	20.00'
L4	N 89°16'34" E	63.77'
L5	N 05°28'32" E	131.55'
L6	N 89°16'30" E	15.09'
L7	S 05°28'32" W	131.55'
L8	S 89°51'14" W	10.00'
L9	S 00°43'30" E	192.71'
L10	S 89°16'30" W	103.00'
L11	S 00°43'30" E	15.00'
L12	N 89°16'30" E	103.00'
L13	S 89°49'42" W	122.62'
L14	S 62°55'26" E	210.39'
L15	S 87°24'51" W	57.19'
L16	N 09°57'36" E	21.87'
L17	S 09°57'36" W	29.07'
L18	N 87°24'51" W	79.11'
L19	N 62°55'26" W	209.88'
L20	S 89°49'42" W	142.34'

LEGEND

- CT CRIMPED TOP
OT OPEN TOP
IPFO IRON PIN FOUND
IPSO IRON PIN SET
IPSO CALCULATED POINT
CONCRETE MONUMENT FOUND
SPIKE NAIL SET
R.O.W. RIGHT-OF-WAY
(F) FIELD MEASUREMENT
(P) PLAT DIMENSION

ADJOINERS ACROSS CENTURY BOULEVARD

- LOT 7, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 169.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 8, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 170.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 9, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 171.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 10, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 172.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 11, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 173.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 12, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 174.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 13, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 175.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- LOT 14, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 176.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831
- PARCEL A, CENTURY PARK (P.B. 23, PG 122)
43 09 06 13 3 000 190.000
HERITAGE REALTY LLC
P O BOX 2693
AUBURN, AL 36831

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND SEAL ON THIS THE 7TH DAY OF DECEMBER, 2021.

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

STATE OF ALABAMA
LEE COUNTY

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

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND ON THIS THE ____ DAY OF DECEMBER, 2021.

MANAGER
CLAYTON PROPERTIES GROUP INC

STATE OF ALABAMA
LEE COUNTY

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE ____ DAY OF DECEMBER, 2021.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CT	65.00'	22.64'	22.53'	S 52°37'30" E	19°57'38"

- NOTES:
- THIS PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAY, OR OTHER RESTRICTIONS OF RECORD THAT MAY EXIST.
 - BEARINGS AND ELEVATIONS BASED ON GPS RTK OBSERVATION USING AUBURN CORRS. HORIZONTAL DATUM IS NAD 83 ALABAMA EAST. ZONE STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM IS NAVD 88.
 - NORTH IS BASED ON GRID NORTH.
 - THE SUBJECT PROPERTY'S ADDRESS IS 0 CENTURY BLVD, OPELIKA, ALABAMA 36801.
 - FIELDWORK COMPLETED DECEMBER 6, 2021. OFFICEWORK COMPLETED DECEMBER 7, 2021.
 - A REQUEST FOR UNDERGROUND UTILITY WAS CALLED IN TO ALABAMA ONE CALL (811) SERVICE. ALL UNDERGROUND UTILITIES SHOWN WERE LOCATED AS PER TICKET REQUEST NO. 200510226. BEFORE DIGGING, PLEASE CONTACT 811 TO RE-VERIFY THE PRESENCE OF UTILITIES.
 - ACCORDING TO FEMA FIRM MAP NUMBER 01081C0069G, PANEL 69 OF 381, FOR AUBURN, LEE COUNTY ALABAMA, EFFECTIVE DATE NOVEMBER 2, 2011, THIS PARCEL LIES IN ZONES X AND AE. ZONE X BEING A ZONE OF MINIMAL FLOODING AND ZONE AE BEING A ZONE OF REGULATORY FLOODING.
 - AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA, ALABAMA, A MUNICIPAL CORPORATION, FOR THE PURPOSE OF INSTALLING AND MAINTAINING GUY WIRES AND ANCHORS TO STABILIZE POLE LINES. EASEMENT TO BE TEN (10) FEET WIDE, BEING FIVE (5) FEET ON EACH SIDE OF THE FRONT AND SIDE LOT LINES.
 - THIS PLAT ORIGINATES FROM CENTURY PARK SUBDIVISION, 1ST ADDITION, FOUND IN PLAT BOOK 27, PAGE 11, IN THE LEE COUNTY PROBATE OFFICE, LEE COUNTY, ALABAMA.
 - THE NAME OF THE PROPERTY OWNER IS CLAYTON PROPERTIES GROUP INC, 3111 TIMBERLAKE ROAD, BIRMINGHAM, AL 35243.

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

PUBLIC WORKS DIRECTOR: _____ DATE: _____

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

PLANNING DIRECTOR: _____ DATE: _____

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

CHAIRMAN: _____ DATE: _____

APPROVED BY THE OPELIKA CITY ENGINEER, OPELIKA, ALABAMA:

CITY ENGINEER: _____ DATE: _____

APPROVED BY THE OPELIKA UTILITIES BOARD, OPELIKA, ALABAMA:

OPELIKA UTILITIES BOARD: _____ DATE: _____

REVIEWED BY THE LEE COUNTY HEALTH DEPARTMENT:

HEALTH OFFICER: _____ DATE: _____

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

OPELIKA POWER SERVICES: _____ DATE: _____

P.O.C.
SOUTHWEST CORNER
OF SECTION 13,
TOWNSHIP
19 NORTH, RANGE 25
EAST,
OPELIKA, LEE COUNTY,
ALABAMA

43 09 06 23 1 000 001.000
GATEWAY DEVELOPMENT LLC
533 LAKEWOOD PLACE
AUBURN, AL 36830

43 09 06 24 2 000 007.007
LOT 8
HAMILTON S/D, 1ST ADD.
(P.B. 12, PG 164)

43 09 06 24 2 000 007.008
LEE COUNTY
215-S-9TH STREET
OPELIKA, AL 36801
LOT 8
HAMILTON S/D, 1ST ADD.
(P.B. 12, PG 164)

43 09 06 24 2 000 007.009
TWIN CEDARS FOUNDATION INC
P O BOX 1526
LAGRANGE, GA 30241
LOT 9A
CHILD ADVOCACY S/D
(P.B. 20, PG 86)

43 09 06 24 2 000 007.011
MADISON REAL PROPERTY LLC
1870 HILTON CT
AUBURN, AL 36830
LOT 11-A
HAMILTON S/D, 1ST ADD.
(P.B. 21, PG 139)



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

NO. 23346	JOB NO.
PROFESSIONAL LAND SURVEYOR	B54521.02
ARTHUR R. NETTLES	
DRAWN	CMS
CREW CHIEF	RAB



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



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

2646



PC DEADLINE: 12/1/21 PC MEETING: 12/21/21

SITE ADDRESS: <u>101 NORTH 11TH ST. OPELIKA AL 36801</u>	
PROPERTY OWNER: <u>DOUGLAS KNIGHT</u>	
APPLICANT/ AUTHORIZED REPRESENTATIVE: <u>Bob Houley</u>	
MAILING ADDRESS: <u>101 NORTH 11TH ST. OPELIKA AL 36801</u>	
PHONE NUMBER: <u>334 444 0361</u>	FAX NUMBER: <u>---</u>
EMAIL ADDRESS: <u>holleys11crentals@gmail.com</u>	

PARCEL INFORMATION

Project name: Holley's Rentals Address/Location: SAME AS ABOVE
 Current Land Use: VACANT Current Zoning: C-3
 Adjacent Zoning Districts: North: C-3 South: M-1 East: C-3 West: C-3
 Description of Proposed Use: UTILITY TRAILER & SMALL EQUIPMENT RENTAL & SALES

AUTHORIZATION TO ACT AS APPLICANT (if applicable)

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

Property Owner's Signature: [Signature] Date: 12/4/21

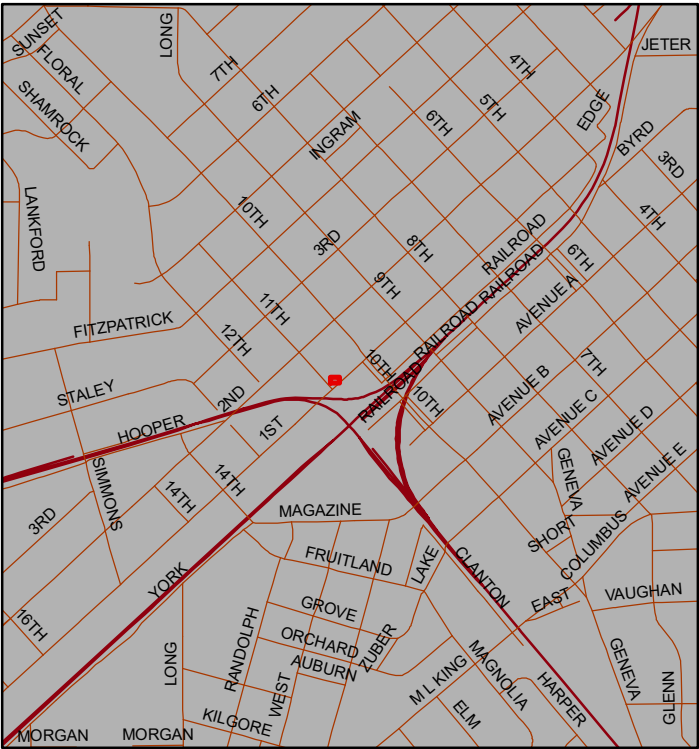
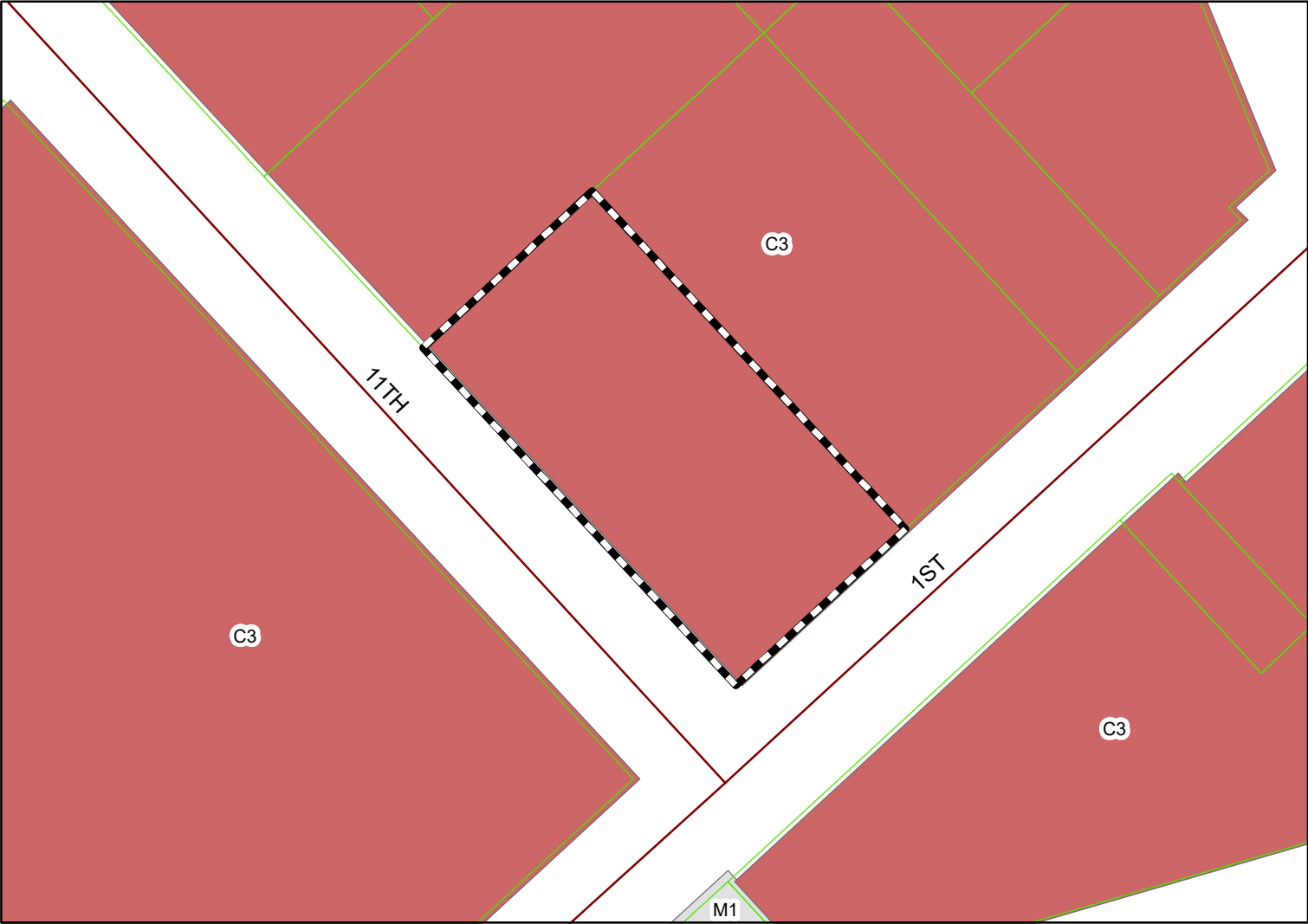
**STATE OF ALABAMA,
COUNTY OF LEE**

I, Jean Hussey, a Notary Public in and for said County and State, hereby certify that Douglas Knight, 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 6th day of December,
Jean C. Hussey
 Notary Public

My Commission Expires: 9/14/2024

UTILITY TRAILER & SMALL EQUIPMENT RENTAL & SALES
101 NORTH 11TH STREET
CONDITIONAL USE, G-8



The applicant is requesting approval to rent utility trailers and rent and sale small equipment. The property is located in a C-3 zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Agenda Item # G-8

Action Requested: Conditional Use – Utility Trailer Rentals & Small Engine Rental & Sales

Location of Property: 101 North 11th Street

Property Owner(s): Douglas Knight
Bob Holley, business owner

Current Zoning: C-3 (general commercial)

Existing Land Use: Vacant commercial building

**Surrounding Zoning Districts
And Land Uses:**

North	C-3, GC-S	Glover Tire
South	C-3, GC-S	Vacant (former auto repair)
East	C-3, GC-S	Jim Bob's restaurant
West	C-3, GC-S	Vacant/commercial

Proposal

The applicant/business owner is requesting conditional use to rent utility trailers and rent & sale small engine equipment. The property was a golf cart sales lot about 20 years ago, and for the past two years a contractor's office occupied the property. The applicant's business activities will primarily be trailer rentals, but includes the sale and rental of small equipment (forklifts/tow motors). The applicant has no employees and no hours of operation. The business owner will serve customers "by appointment only".

An aerial photo in your packet shows a 1,600 sf building on a 19,730 sf lot. Sidewalks are along North 11th Street and 1st Avenue. For the golf cart business, the entire property was asphalted to display golf carts. Landscaping is not required because of the asphalt constraints. Section 8.2 of the Zoning Ordinance encourages the reuse of existing nonconforming property if physical constraints on the property are existing rather than allow an existing developed site to remain vacant. A vacant commercial building creates a negative impact (economically and aesthetically) on the surrounding area. The amendment

states the existing nonconforming property should meet the development regulations as much as possible unless physical constraints such as asphalt exists.

The rental utility trailers will be parked along the east side property line (next to Jim Bob's restaurant property). The applicant said the activity of washing utility trailers and other equipment for business purposes will not be carried out. On the west side next to North 11th Street, a minimum of five parking spaces for customers will be provided. One parking space near the office building must be a handicap parking space. A private dumpster will not be installed; city garbage services will be used.

Recommendation

Staff recommends conditional use approval as submitted.

Engineering Department Report

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

Opelika Utilities Board Report

Opelika Utilities presently serves this use.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

C3

Utility Trailer Rentals and Small
Equipment Rental and Sales
101 North 11th Street

C3

11TH

1ST



2656

AGENDA ITEM # 9



PETITION FOR ANNEXATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

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

PC DEADLINE: _____ PC MEETING: _____

SITE ADDRESS: U.S. Highway 29 NorthPROPERTY OWNER: Opelika Investment Properties, LLC, a Florida limited liability companyAPPLICANT: Opelika Investment Properties, LLC, a Florida limited liability companyMAILING ADDRESS: 1001 East Telecom Drive, Boca Raton, FL 33431PHONE NUMBER: 561-981-5252 FAX NUMBER: _____EMAIL ADDRESS: LSILVER@SILVERCO.COMPARCEL INFORMATIONTax Parcel Number: 43 03 0 7 35 0 000 035.000; 036.000; 037.000; 038.000; 039.000; 040.000 & 041.000Street Address: U.S. Highway 29 NorthCurrent Land Use: undeveloped Proposed Zoning: City of Opelika

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

Description of proposed use: _____

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

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

Proposed Zoning: City of Opelika Fee: \$250.00 per dwelling or \$250.00 per business

TOTAL = VACANT land

PAID _____

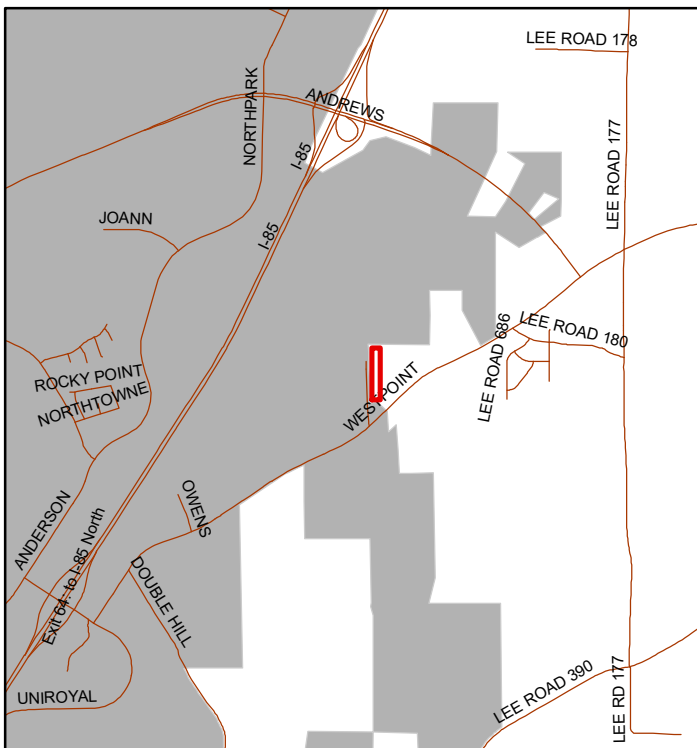
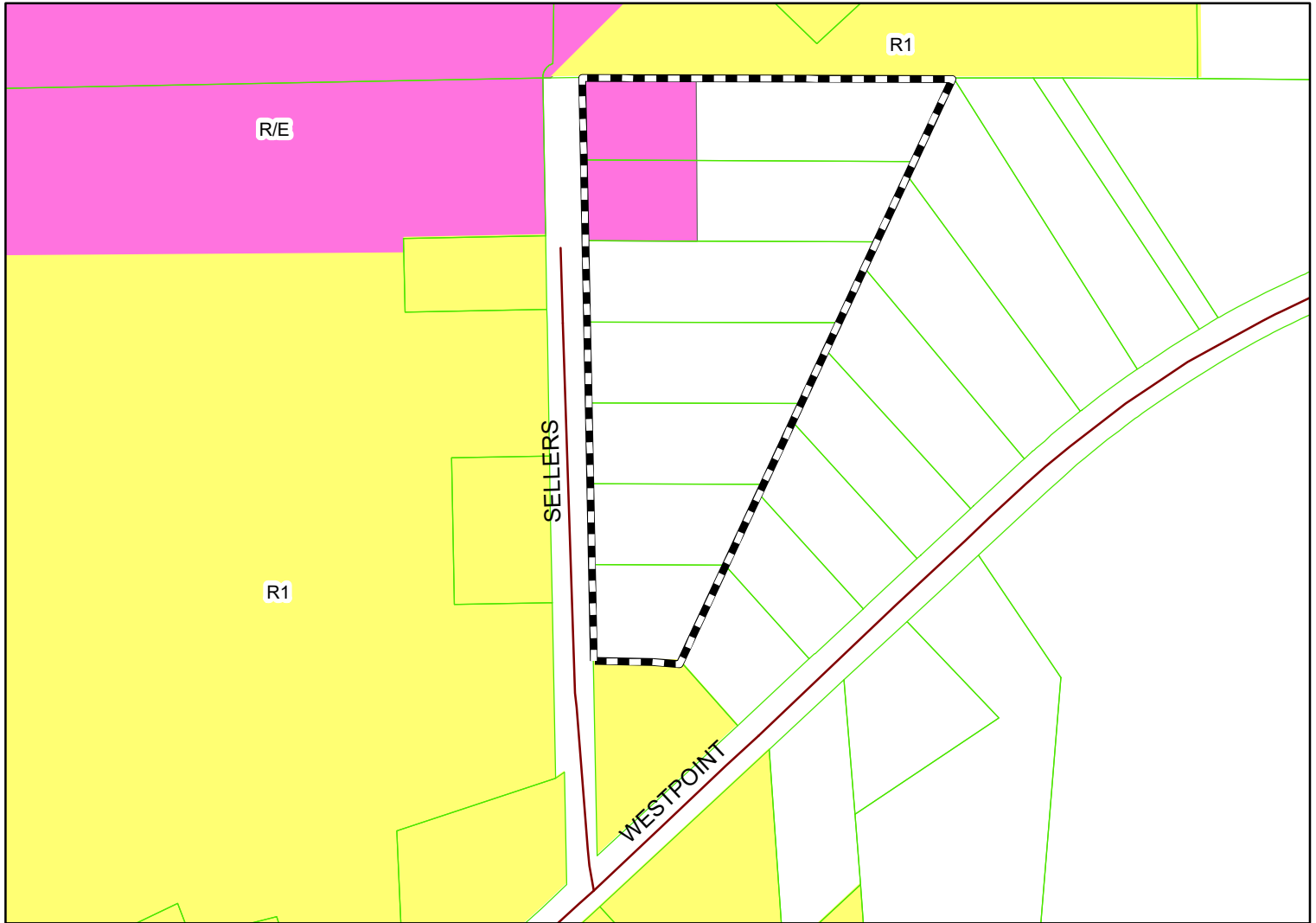
OWNERS SIGNATURE: By: [Signature]
 (PRINT NAME) Larry D. Silver, CEO/President of Silver Capital Advisors, Inc., Manager of Opelika Investment Properties, LLC, a Florida limited liability company

DATE: 11/08/2021

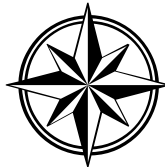
SELLERS DRIVE ANNEXATION & REZONING

2800/2900 SELLERS DRIVE

12.6 ACRES FROM R-1 TO R/E, H-9, 10



The applicant is requesting annexatoinn of 12.6 acres to add to Celebrate Alabama property. Rezoning is from R-1 to R/E (retail/entertainment) zoning district.



Subject Property

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CITY OF OPELIKA
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Agenda Item: H-9

Action Requested: Annexation

Location of Property: East side of Sellers Drive

Property Owner: Opelika Investments Properties, LLC.

Current Zoning: PJ (Planning Jurisdiction)

Existing Land Use: Vacant/Undeveloped

**Adjacent Zoning/
Land Use:**

North	R-1	Single-family residential
South	R-1	Single-family residential
East	PJ	Single-family residential
West	R-1 & R/E	Single-family residential and vacant

Staff Comments

The applicant is requesting annexation of 12.6 acres into the City of Opelika. The subject property is located on the east side of Sellers Drive just north of West Point Parkway (US Highway 29). The property is described as Lots 10, 11, 12, 13, 14, 15, and 16 of Prescott Subdivision. The property is adjacent to the Opelika city limits along the north, south and west property lines. The property is undeveloped but was shown as part of the original plan for Celebrate Alabama. The Zoning Ordinance provides that annexed properties are automatically zoned R-1, but in this case, the applicant is requesting rezoning from R-1 to R/E. If City Council approves the annexation, then a Council public hearing will be held to rezone the 12.6 acres from R-1 to R/E.

Recommendation

Planning staff recommends a positive recommendation be sent to City Council to annex the 12.6 acres into the City.

Engineering Department Report

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

Opelika Utilities Board Report

Opelika Utilities presently serves this annexation request.

Opelika Power Services Report

This annexation is outside the Opelika Power Service territory.



2657

AGENDA ITEM # 10**REZONING APPLICATION**

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: _____ PC MEETING: _____

PROPERTY OWNERS/AUTHORIZED REPRESENTATIVE: Patrick C. Davidson, authorized representativeMAILING ADDRESS: 310 Samford Village Court, Suite 200, Auburn, AL 36830PHONE NUMBER: 334 501 2985 Email: rick@davidsonumbach.com**PARCEL INFORMATION**Site Address: U. S. Highway 29 NorthDescription of proposed use: R/E District (Retail/Entertainment District)Tax Parcel Number: 43 03 0 7 35 0 000 035.000; 036.000; 037.000; 038.000; 039.000; 040.000 & 041.000

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

Current Land Use: undeveloped

Current Zoning: _____

Proposed Zoning: _____

Number of APO: _____ x \$7.00 = \$ _____
(Adjacent Property Owners)Fee: \$125.00**TOTAL** = _____

PAID: _____

I hereby request my property located at (street address) U.S. Highway 29 North,Tax Map parcel number 43 03 0 7 35 0 000 035.000; 036.000; 037.000; 038.000; 039.000; 040.000 & 041.000 be rezoned from

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

OWNERS OR AUTHORIZED
REPRESENTATIVE SIGNATURE:

(PRINT NAME) Patrick C. Davidson, authorized representative

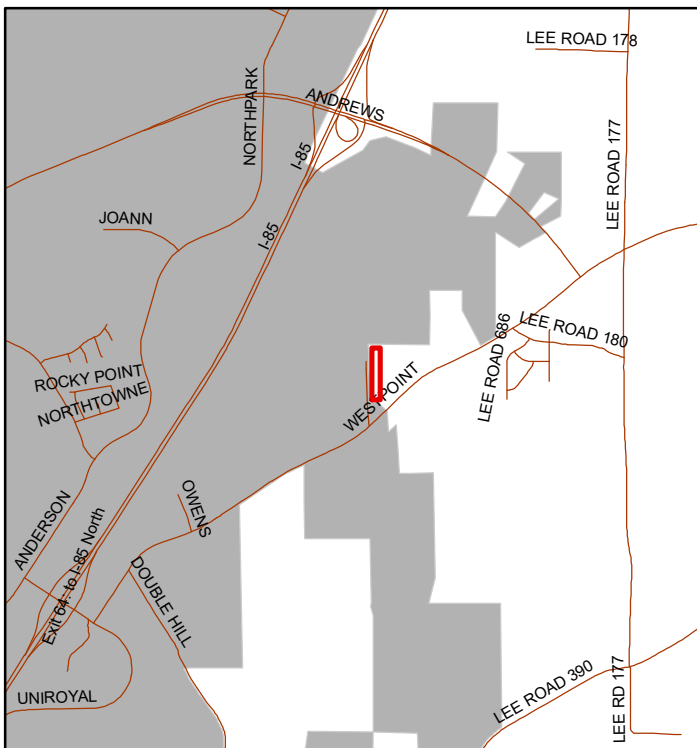
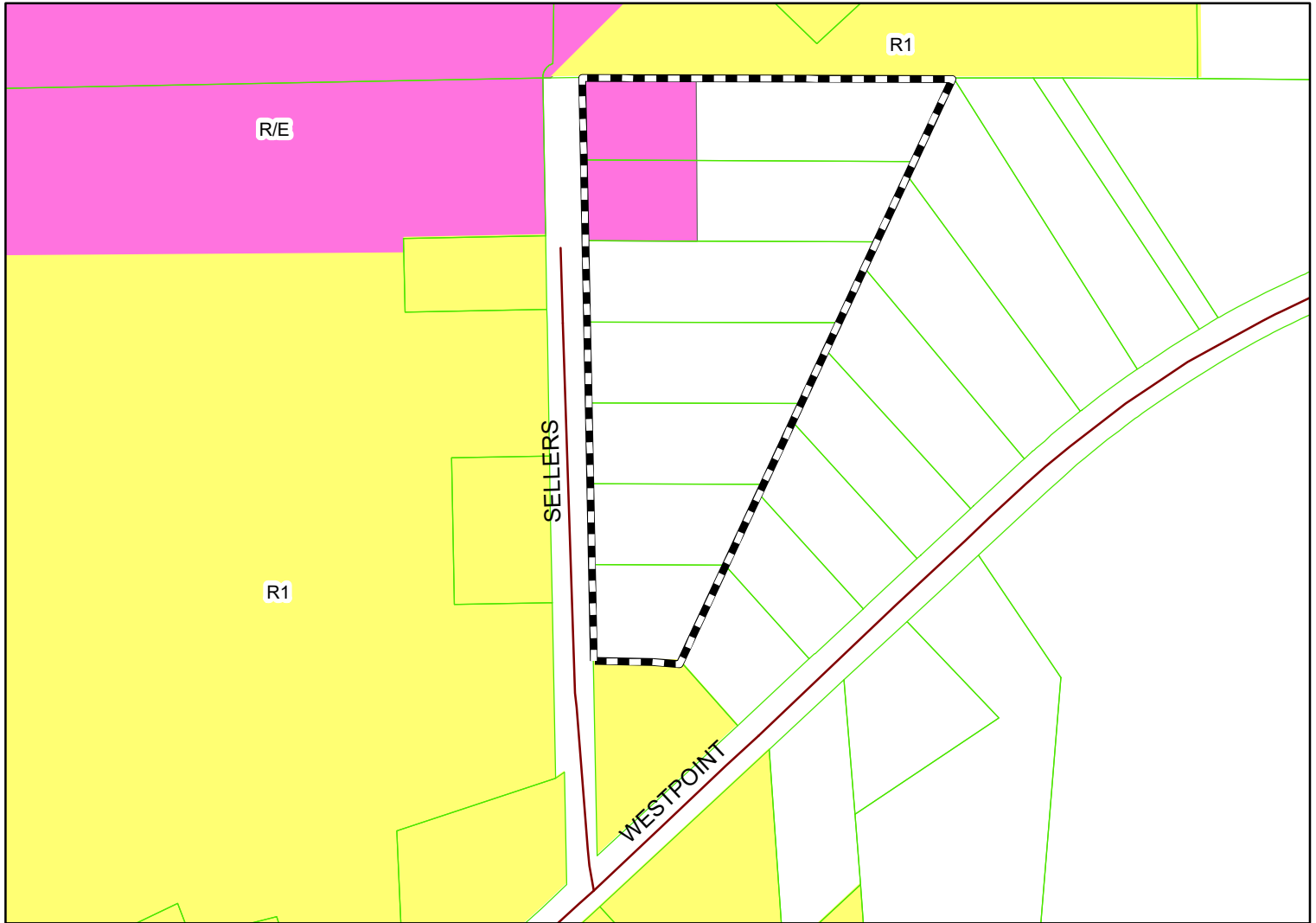
DATE

11/9/21

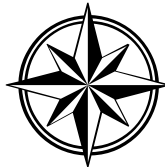
SELLERS DRIVE ANNEXATION & REZONING

2800/2900 SELLERS DRIVE

12.6 ACRES FROM R-1 TO R/E, H-9, 10



The applicant is requesting annexatoinn of 12.6 acres to add to Celebrate Alabama property. Rezoning is from R-1 to R/E (retail/entertainment) zoning district.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Agenda Item #: H-10

Action Requested: Rezoning 12.6 acres from R-1 to R/E, subject to approval of annexation

Location of Property: East side of Sellers Drive

Property Owner(s): Opelika Investment Properties, LLC.
Patrick Davidson, Davidson, Davidson, Umbach, & Forbus,
authorized representative

Current Zoning: R-1 (subject to annexation)

Proposed Zoning: R/E

Existing Land Use: Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-1	Single-family residential
	South	R-1	Single-family residential
	East	PJ	Single-family residential
	West	R-1 & R/E	Single-family residential and vacant

Staff Comments

The applicant is requesting rezoning 12.6 acres from an R-1 zoning district (rural) to a R/E zoning district (Retail and Entertainment) subject to City Council approval of the annexation property. The rezoning property has access to Sellers Drive located just north of West Point Parkway. Most of the adjacent property is either vacant or single-family residential. This property is connected to the larger area zoned R/E as part of the Celebrate Alabama district. The property was initially included in the rezoning for this R/E area, but was not annexed at that time. This request would match the initial zoning request after the property has been annexed. Attached is a copy of the R/E zoning plan shown during the initial zoning request in 2007.

Staff Recommendation

Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from R-1 to R/E, subject to approval of the annexation.

Engineering Department Report

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

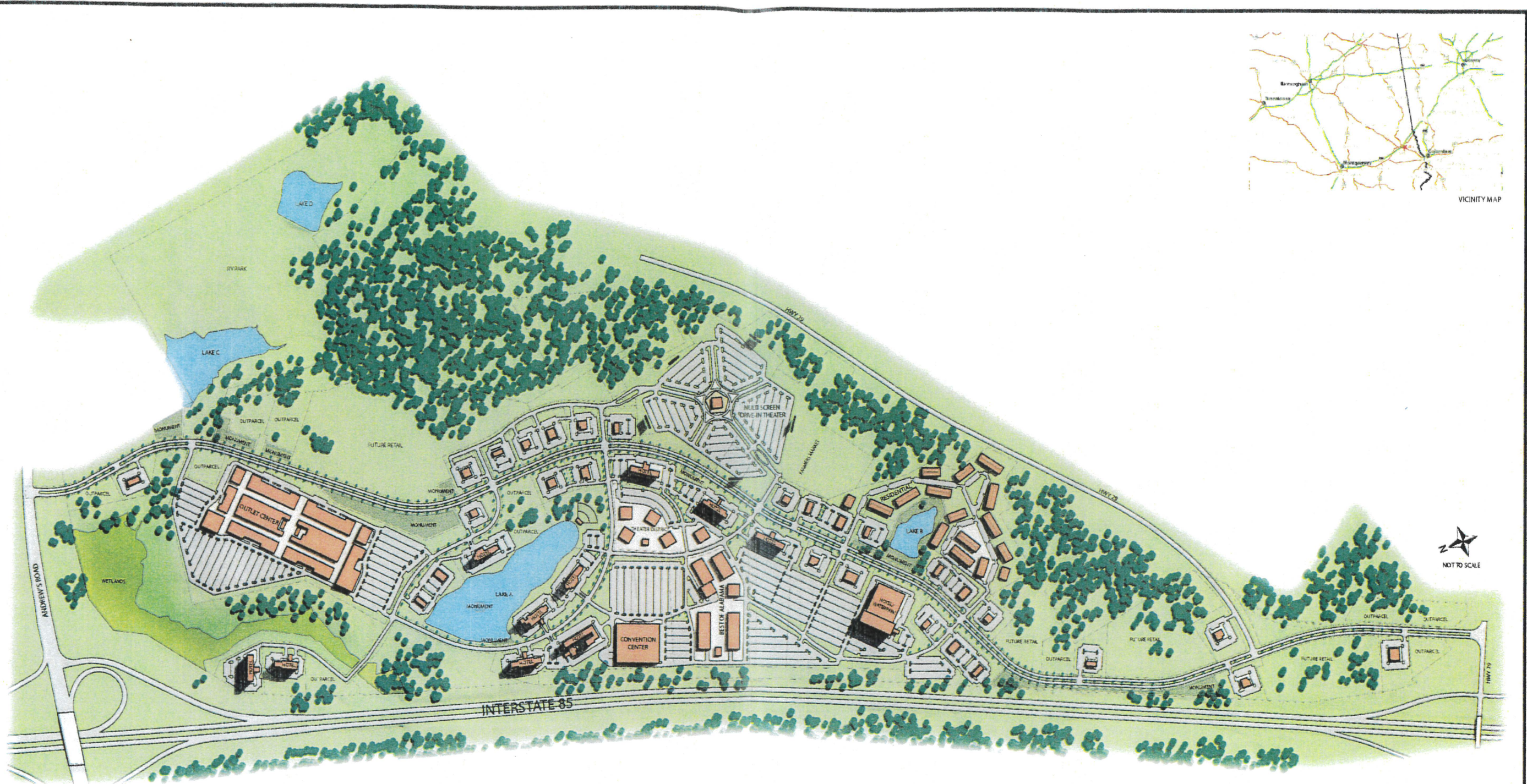
Opelika Utilities Board Report

Opelika Utilities presently serves this annexation request.

Opelika Power Services Report

This annexation is outside the Opelika Power Service territory.





* Conceptual plan, subject to change

CELEBRATE

ALABAMA

HW
 architecture | interior design | planning | graphic design

SILVER
 COMPANIES
 Established 1941



APPLICATION FOR VACATION FOR STREET, ALLEY OR EASEMENT

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

2660



Date Submitted:	Meeting Deadline:
Agenda Item#	Meeting Date:

PART I. OWNER/APPLICANT INFORMATION:

HARA LLC 334 444 5414
Owner Name Address Phone

MANISH Desai 334 444 5414
Agent Name (if applicable) Address Phone

PART II. STREET/ALLEY/EASEMENT INFORMATION:

Street/Easement Address: 570 - Geneva Street Lot. Opelika - Alabama
Current Zoning: C2
Current Land Use: VACANT

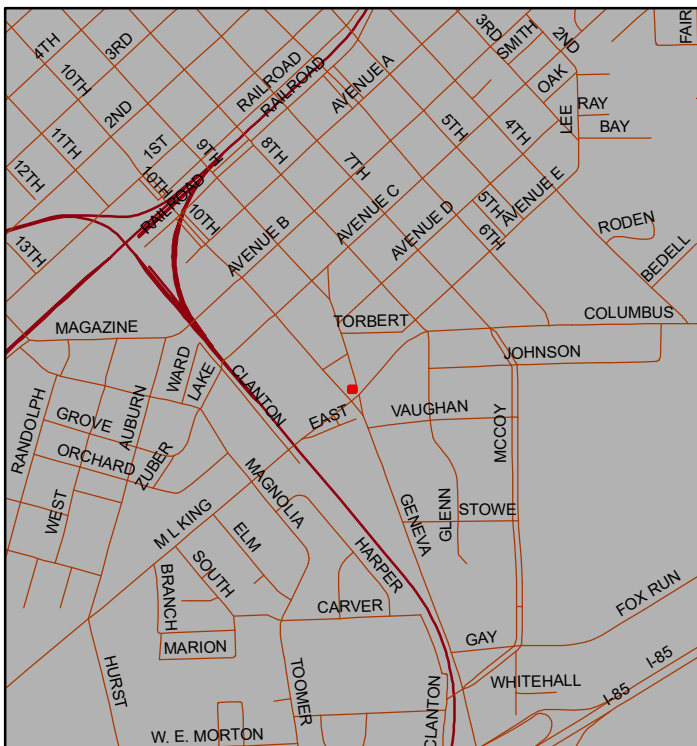
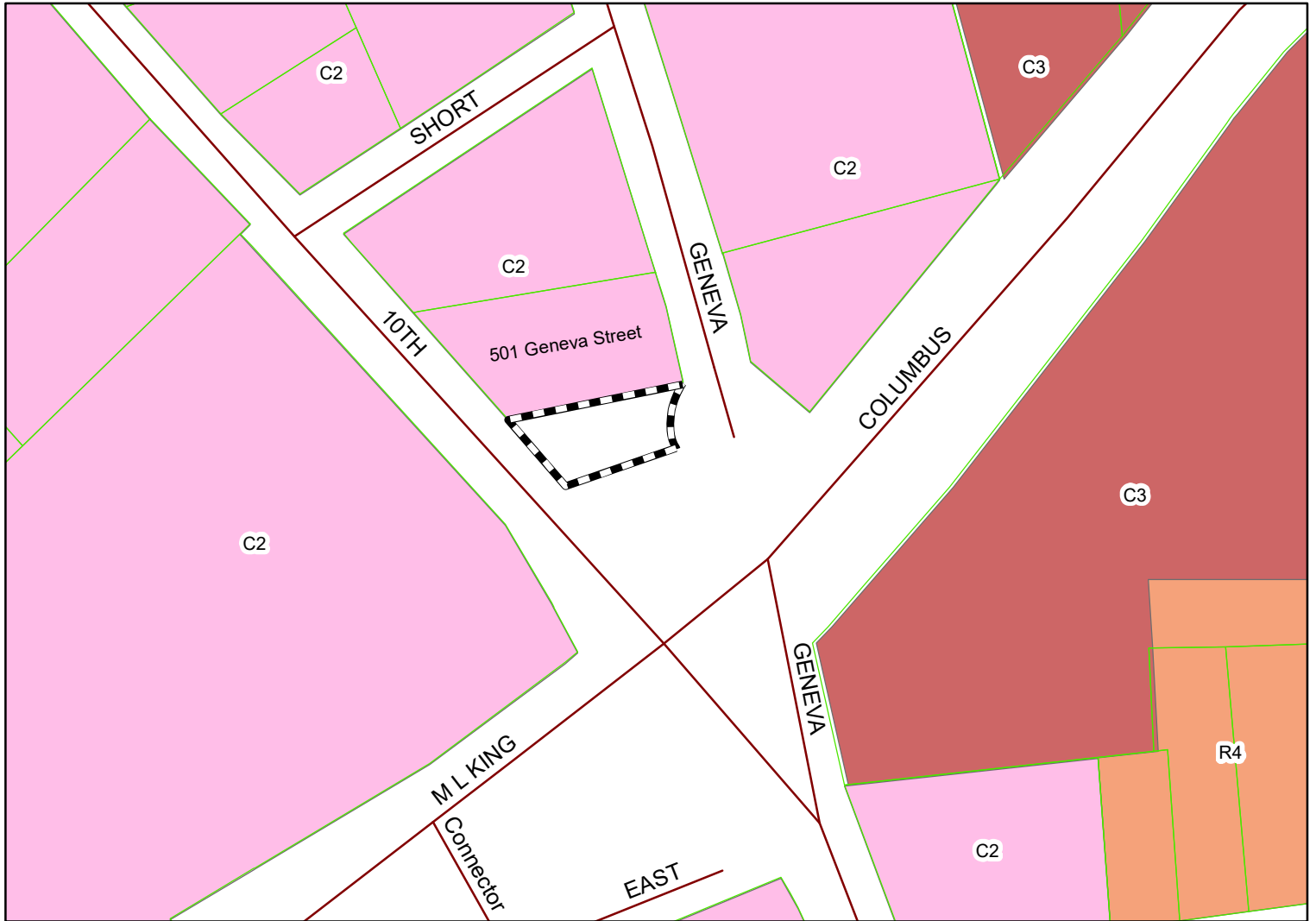
a) Is the Petition signed and notarized by all Property Owners listed on the deed of adjoining the proposed Street/Alley/Easement? _____

b) Does the Vacation of Street/Alley/ Easement deprive other property owners of their rights of ingress/egress or adversely affect other properties? _____

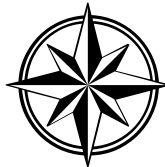
If yes, explain: N/A.

PART III. PROVIDE AN EXPLANATION FOR THE REQUEST:

VACATE RIGHT-OF-WAY, I-11



The petitioner/property owner at 510 Geneva Street is requesting a vacation of about 5,500 square feet of right-of-way to add to his property for a commercial development.



Subject Property

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City of Opelika
Planning Commission
Planning Department Report

Meeting Date: December 21, 2021

Agenda Item #: I-11

Action Requested: Vacation of Right-of-Way, west of Fox Run Parkway (US HWY 431) between Lots 5, 6, and 8A of Fox Run Industrial Park First Addition.

Adjacent Property Owner HARA, LLC., Manish Desai

Location of Property: 510 Geneva Street

Adjacent Land Use: Environmental Monitoring Well

Current Zoning: C-2, GC-S

Surrounding Zoning Districts

And Land Uses:	North	C-2, GC-S	Vacant
	South	C-3, GC-S	Opelika Library
	East	C-2, GC-S	Offices
	West	C-2, GC-S	Opelika Police Department

Proposal:

The applicant, HARA, LLC., is petitioning the City to vacate a 5,500 square foot section of right-of-way between 510 Geneva Street, Columbus Parkway, 9th Street and Geneva Street. The site was a former fueling station that was closed during the realignment of Columbus Parkway. The site now has a monitoring station and various wells on the property. The applicant would like to move the monitoring station to another location to be able to use more of the property. Some of the wells are no longer needed according to the applicant.

The City of Opelika does not necessarily have use for this property. Staff feels there is still a large amount of right-of-way for future improvements. Staff recommends the Planning Commission send a positive recommendation to City Council to approve the vacation of this right-of-way.

Engineering Department Report

The Engineering Department has no other comments or concerns with this proposal and recommends ROW vacation.

Opelika Utilities Board Report

Opelika Utilities has in place two water mains in the subject area of this vacation. The property owner, by his or her expense, will be required to relocate the water mains and appurtenances to the new city R.O.W.

Opelika Power Services Report

This is inside the Opelika Power Service territory.

(1391/169: N76°41'E, 183.3 indicates Record Dimensions

● = Found Iron Pin
○ = Set 1/2" Rebar (Capped: 18677)
■ = Found Conc. Monument
△ = Calculated Point
R/W = Right-of-Way

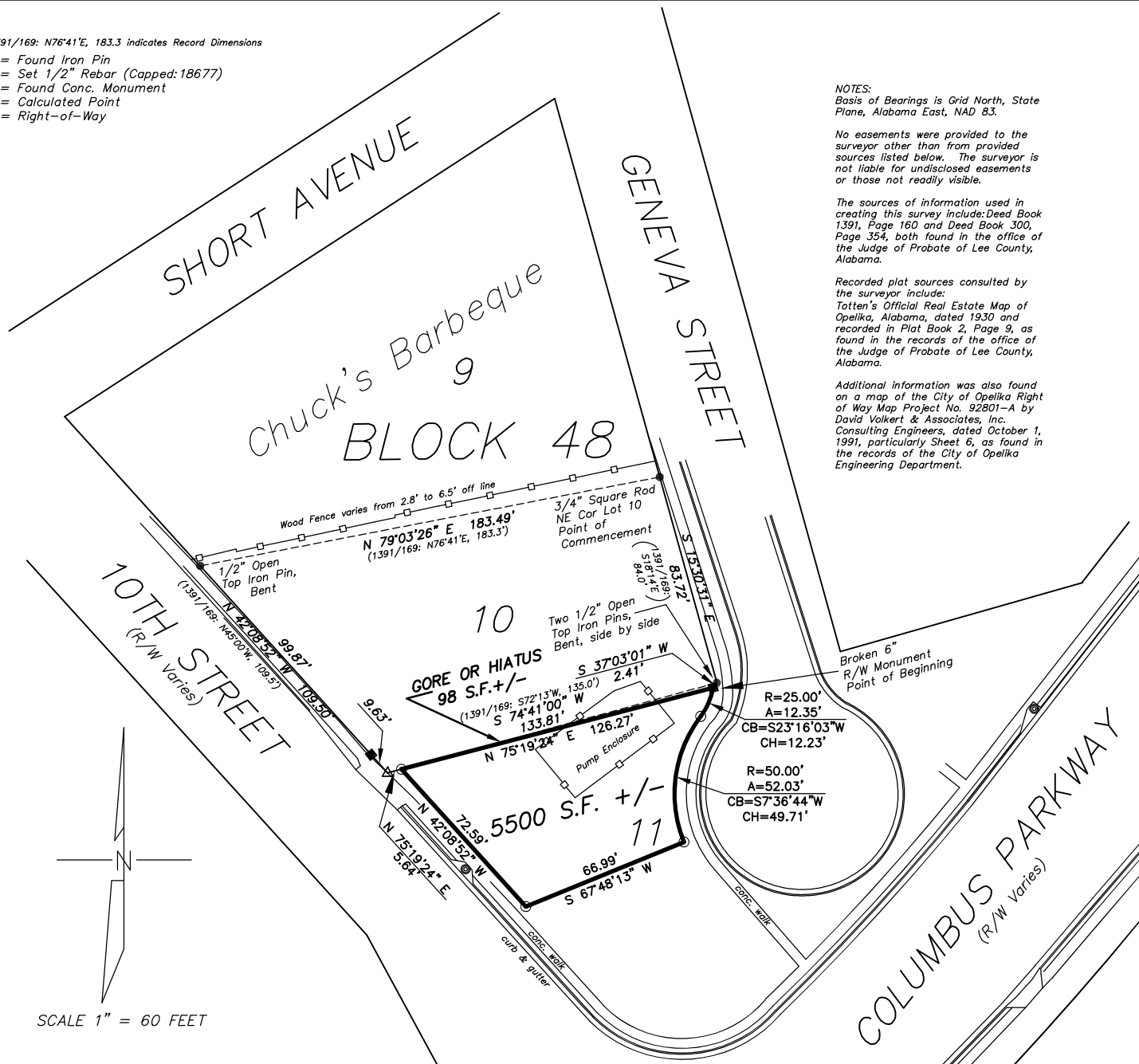
NOTES:
Basis of Bearings is Grid North, State Plane, Alabama East, NAD 83.

No easements were provided to the surveyor other than provided sources listed below. The surveyor is not liable for undisclosed easements or those not readily visible.

The sources of information used in creating this survey include: Deed Book 1391, Page 160 and Deed Book 300, Page 354, both found in the office of the Judge of Probate of Lee County, Alabama.

Recorded plat sources consulted by the surveyor include:
Totten's Official Real Estate Map of Opelika, Alabama, dated 1930 and recorded in Plat Book 2, Page 9, as found in the records of the office of the Judge of Probate of Lee County, Alabama.

Additional information was also found on a map of the City of Opelika Right of Way Map Project No. 92801-A by David Volkert & Associates, Inc. Consulting Engineers, dated October 1, 1991, particularly Sheet 6, as found in the records of the City of Opelika Engineering Department.



SCALE 1" = 60 FEET

BOUNDARY SURVEY FOR

THE CITY OF OPELIKA

A PORTION OF BLOCK 48, TOTTEN'S MAP

OPELIKA
SEC.18

LEE COUNTY
T-19-N

ALABAMA
R-27-E

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

ACCORDING TO MY SURVEY OF OCTOBER 20, 2021.

Cert. No. 18677

CITY OF OPELIKA
ENGINEERING DEPT.
700 FOX TRAIL
OPELIKA, AL 36801
(334) 705-5450
mmiller@opelika-al.gov

10th & Geneva Cul-de-sac Plat100621.dwg