

**July 26, 2005**

The City of Opelika Planning Commission held its regular monthly meeting on July 26, 2005 in the Planning Commission Chambers, located at the Public Works Facility, 700 Fox Trail. Certified letters were mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chairman Sadler, Dr. William D. Lazenby, Arthur Wood, Dr. William B. Whatley, Mayor Fuller  
Jesse Seroyer, Jr., Bart Van Nieuwenhuise

MEMBERS ABSENT: Keith Pridgen, Lewis Cherry

STAFF PRESENT: Marty Ogren, Planning Director;  
Charlie Thomas, Engineering Director;  
Alan Lee, Utilities Board  
Jerry Posey, Opelika Light & Power

CALL TO ORDER: Chairman Sadler called the meeting to order at 3:01 p.m. He stated that if there were no additions or corrections to the minutes for the Planning Commission Meeting for the month of June he would like to entertain a motion to accept the minutes as written.

Mr. Van Nieuwenhuise made a motion to accept the June 28, 2005 meeting minutes as written.

Dr. Whatley seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to accept the June 28, 2005 Planning Commission meeting minutes passed.

**A. PLATS-Preliminary & Final PUBLIC HEARING**

**1. West Point S/D, 1<sup>st</sup> Rev. Resub. Lot 2-BB1, 2 lots, 21<sup>st</sup> Street, EAMC, preliminary and final plat approval.**

Mr. Ogren reported that the applicant is requesting preliminary and final plat approval for a 2-lot subdivision. The applicant is subdividing a 1.5 acre parcel (Lot 2-BB1B) out of a larger parcel - Lot 2-BB1A. A medical office for kidney dialysis will be constructed on the lot. A 100 year flood zone is shown on the larger parcel.

Planning staff recommends preliminary and final plat approval.

Mr. Thomas, Engineering, reported that the applicant is cautioned that a sewer lateral may not exist for lot BB1. Sewer service may be subject to payment for, and installation of a new sewer tap. He recommended approval.

Mr. Lee, Utilities Board, reported that water service is accessible to this subdivision by a water main in the R.O.W. of 21<sup>st</sup> Street.

Mr. Posey reported that Opelika Light & Power provides electrical service to this area.

Chairman Sadler opened the public hearing.  
No comments were made from the audience.  
Chairman Sadler closed the public hearing.

Chairman Sadler asked for questions or comments.

Chairman Sadler asked for a motion.

Dr. Lazenby made a motion to grant preliminary and final plat approval with staff requirements.

Mr. Seroyer seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary and final plat approval with staff requirements passed.

**2. Century Park S/D, 1<sup>st</sup> Addition, 2 lots, Corner of Gateway Drive and Thomason Drive, Century Park LLC, preliminary and final plat approval.**

Mr. Ogren reported that the applicant is requesting preliminary and final plat approval for a 2-lot subdivision. The purpose of the plat is to sell Lot 1, a 2-acre parcel, for a new bank. A 100-year flood zone is shown on the larger parcel. Preliminary and final plat requirements have been met.

Planning staff recommends preliminary and final plat approval.

Mr. Thomas, Engineering Director, reported that the driveway access may not be allowed from Thomason Drive. Final decision subject to review of engineering design drawings. We have requested a traffic signal warrants study by ALDOT at the intersection of Thomason & Gateway. Per City Code, Section 7-62, if any portion of the property is located in Flood Zone A, then "Base flood elevation data shall be provided for subdivisions greater than fifty (50) lots [parcels] or five (5) acres.." Subject thereto, he recommended approval.

Mr. Lee, Utilities Board, reported that water service is accessible to this subdivision by water main in the R.O.W. of Thomason Drive and Century Park Boulevard.

Mr. Posey reported that this area's electrical service is provided by Opelika Light & Power.

Chairman Sadler opened the public hearing.  
No comments were made from the audience.  
Chairman Sadler closed the public hearing.

Mr. Van Nieuwenhuise made a motion to grant preliminary & final plat approval with staff recommendations.

Dr. Whatley seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary & final plat approval with staff recommendations passed.

**3. Hallway S/D, 6<sup>th</sup> Addition, 19 lots, Hall Avenue, Andrea Potter, Preliminary and Final Plat Approval.**

Mr. Ogren reported that the applicant is requesting preliminary and final plat approval for a 19-lot subdivision. This plat was granted final approval at the August 2003 PC meeting subject to street improvements. The street is now complete. However, the final plat approval expired after 120 days, became "null and void", and is now before the Planning Commission for preliminary and final plat approval again. Since 2003 the developers have extended Hall Avenue and each lot now have frontage on an improved street.

A single family home will be built on each lot. The lots range in size from 8,560 square feet to 10,200 square feet. This property is located in an R-4 zoning district; minimum lot size is 7,500 square feet.

The plat meets all subdivision plat requirements and should be able to meet all development requirements for new homes.

Planning staff recommends preliminary and final plat approval.

Mr. Thomas, Engineering, reported that the infrastructure construction is very near completion. The southern property owner shown on the plat may need correction. He recommended approval subject to a bond or letter of credit for improvements not fully complete.

Mr. Lee, Utilities Board, reported that water service is accessible to this subdivision by a water main in the R.O.W. of Hall Avenue. All water system improvements for this subdivision have been completed.

Mr. Posey reported that electric service to this area is provided by Alabama Power.

Chairman Sadler opened the public hearing.  
No comments were made from the audience.  
Chairman Sadler closed the public hearing.

Mr. Seroyer made a motion to grant preliminary & final plat approval with staff recommendations.

Dr. Whatley seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary & final plat approval with staff recommendations passed.

#### **4. Spring Lake S/D, 7 lots, 1800 block of S. Uniroyal Road, Preston Holdings LLC, preliminary and final plat approval.**

Mr. Ogren reported that the applicant is requesting preliminary & final plat approval for a 7-lot subdivision. The primary purpose of plat approval is to identify location of property lines for the property owners of Parcel E, F, and G. Also, the subdivision determines zoning boundary lines for the entire property. This same property was approved by the Planning Commission at the June 2005 meeting for rezoning to either R-2 or R-3. A 30-foot buffer is shown on the plat as required by the Planning Commission during rezoning review. (The City Council public hearing for the rezoning is August 16<sup>th</sup>). Parcel B is proposed to be zoned R-3; all the other parcels are R-2.

The plat meets all subdivision plat requirements. The signature lines for approval should be changed from "Auburn" to "Opelika."

Planning Staff recommends preliminary & final plat approval and corrections as stated in this report changed on the plat.

Mr. Thomas reported that Spring Lake S/D possibly to be re-titled South Lake. Creekstone S/D, Item A.5 following, is subject to approval of this plat.

Engineering recommends approval subject to the following:

- a) Show all existing structures on the plat.
- b) Add required Flood Zone statement.
- c) Property is in R27E, rather than 26.
- d) Show proposed loop road R.O.W., available electronically from the city engineer, and possibly access thereto.

- e) Parcel A may not be developable in the R-2 zone.
- f) Hampstead Drive should not be shown in its present location. An access/ingress easement should replace the proposed R.O.W. for access to Parcels E & G.
- g) Submittal, review and approval of a comprehensive development plan prior to future subdivisions and/or phases.

He stated that the applicant is aware of each of these requirements.

Mr. Lee, Utilities Board, reported that water service is accessible to this subdivision by a water main in the R.O.W. of South Uniroyal Road.

Mr. Posey reported that this area will be served by Opelika Light & Power.

Chairman Sadler opened the public hearing.

Mr. Newell Floyd came forth and stated that Mr. Grot and he have entered into an agreement regarding the North end of the property where he and Mr. Grot's properties adjoin. [Mr. Floyd submitted a drawing of the property showing what he and Mr. Grot have agreed to by deeding the property to the City of Opelika for the purpose of rerouting S. Uniroyal Road to the proposed perimeter for the purpose which would improve the traffic pattern by changing the intersection with N. Uniroyal Road.] Mr. Floyd stated that Boles Engineering is working on this plat for specific descriptions so that this land can be deeded to the city.

Mr. McCrory stated that there is already a Spring Lake Subdivision located on Highway 51.

Mr. Grot stated that he was not aware of this, and agreed to change the name to Southlake S/D if there is no other subdivision by this name.

Chairman Sadler closed the public hearing.

Chairman Sadler asked for a motion.

Dr. Lazenby made a motion to grant preliminary and final plat approval with staff recommendations to include agreement between engineering and the property owner and the city attorney correction of re-naming the subdivision.

Mr. Seroyer seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary and final plat approval with staff requirements passed with appropriate changes of the subdivision name.

**5. Creekstone S/D, Revision of Parcel B, 126 lots, 1800 Block of South Uniroyal Road, Preston Holdings LLC, Preliminary approval.**

Mr. Ogren reported that the applicant is requesting preliminary plat approval for a 126 lot subdivision. This is a revision of Parcel B which was reviewed in the previous agenda item (~~#4 Spring Lake~~) or Southlake. This revision of Parcel B is based on the R-3 rezoning request for Parcel B that was recommended to Council by the Planning Commission at the June meeting. (City Council public hearing for this rezoning is August 16<sup>th</sup>.) If the R-3 rezoning is approved the developer desires for Parcel B to be subdivided as presented today.

Subject to R-3 approval, the 126 lots meets the 7,500 square foot minimum lot size for the R-3 zone. The lots range in size from 8,450 square feet to 14,800 square feet. Single family homes will be built on each lot. A 25-foot front yard setback line needs to be shown on the lots.

Parcels A, C, and D is the second and third phase of this development. The applicant requested an R-2 zone for these parcels and the Council public hearing will be August 16<sup>th</sup>. As required at the last PC meeting, the applicant added on this plat a 30-foot undisturbed buffer line separating the R-2 and R-3 zone. Also, the lots along South Uniroyal Road will be 150 feet deep as required. The buffer line needs to be labeled "30-foot Undisturbed Wooded Buffer."

The plat meets all subdivision plat requirements and should be able to meet all development requirements for new homes. The signature lines for approval should be changed from "Auburn" to "Opelika".

Planning Staff recommends preliminary plat approval subject to plat requirements and corrections as stated in this report changed on the plat.

Mr. Thomas reported that the revisions to the proposed road network have been discussed with the applicant's design professionals. He recommended preliminary plat approval, but that item and the following should be addressed prior to final approval:

- a) Correct title block as shown above.
- b) The northern east-west segment of Warwick Drive, if retained, should be renamed Warwick Court.
- c) Stub outs to the north and west should be provided in accordance with blocking requirements.
- d) Show match lines between plat sheets.
- e) Approved names should be shown for all proposed streets. Final approval of street names is subject to concurrence from our public safety departments. Reuse/variances of approved names (Warwick Way, Avenue, Drive, Lane, etc.) are **strongly** encouraged, but in accordance with the convention described in Figure 4.18 of the Public Works Manual.
- f) If the entire preliminary plat is presented for final approval in one phase, a traffic study will be required.
- g) Submittal, review and approval of a complete set of construction plans including, but not limited to:
  - 1) Proposed Erosion & Sediment Control (ESC) BMP implementation
  - 2) Roadway plan and profiles
  - 3) Sanitary sewer plan and profiles, with a master plan for sewer service throughout the development.
  - 4) Storm-water management design (retention/detention) with supporting calculations, likewise with a comprehensive plan.

He stated that the applicant is aware of each of these requirements.

Mr. Lee reported that water service is accessible to this subdivision by a water main in the R.O.W. of South Uniroyal Road. The developer will need to obtain a bond or letter of credit for the water system improvements.

Mr. Posey reported that Opelika Light & Power will provide electric service to this subdivision.

Chairman Sadler opened the public hearing.

Mr. Van Nostrand, adjacent property owner, stated that Mr. Ogren, Planning Director, told him that there will be another entrance to this subdivision, and Mr. Van Nostrand asked for Mr. Ogren to point this out on the overhead projector in relationship to Trent Dollyhigh's property.

Mr. Ogren and Mr. Thomas pointed to this entrance/stub out on the overhead projector.

Mr. Van Nostrand stated that it's his understanding that all the traffic will be coming out through one entrance, and he is concerned with the traffic coming out

near his driveway. He asked what will the city plans to do with all the traffic when they come to Highway 280. He stated that with no more homes than there are now, there's a bottleneck at the end of South Uniroyal with getting on Highway 280, and he feels it's something that needs to be addressed.

Chairman Sadler stated that if anyone wishes to see where the proposed road will be eventually, contact Charlie Thomas, Engineering Director.

Mr. Stanley Drake, adjacent property owner, came forth to ask about the lay out of the property, and asked how many lots will be constructed.

Mr. Ogren said about 126-lots.

Mr. Drake stated that he feels its inappropriate planning to approve 126-lots with a single route of egress/ingress if the road has to be blocked for any reason, whether it's a public safety issue or utility issue or whatever. He stated that there will be approximately 120 or more families that could possibly not get out of the subdivision due to a safety problem. He mentioned that normally there is more than 1 vehicle per family. He stated that there should be at least 2 routes of egress/ingress. If there was a blockage to the primary road, and a house possibly caught fire, it would make it really hard for the fire department to get to the house, and he feels this is inappropriate planning at this stage of the development.

Mr. Drake also wanted to address the issue of the intersection of Uniroyal Road and U.S. Highway 280. He stated that he wants to offer encouragement to the city to begin the development of the loop road, and the intra-connection of the properties that he and Mr. Floyd own so the traffic can be moved into the main flow without interfering with U.S. Highway 280.

Mr. Trent Dollyhigh, adjacent property owner came forth and asked how long would it take to adjoin North & South Uniroyal roads – over 5 years?

Mayor Fuller stated approximately within the next 2 years.

Mr. Dollyhigh asked how long it will take to construct these 126 lots, over a year.

Mr. Grot stated approximately a year.

Mr. Dollyhigh stated that it's his concern that there will be about a year between the time the homes will be constructed and a year before the road will be finished. He stated that his concern is with the assistance of traffic flow. He said the road is already congested and that many more vehicles coming in will make it very difficult to travel and get off S. Uniroyal Road onto Highway 280. If that could be corrected sooner, it would make a big difference with traffic flow.

Mr. Seymour stated that he does not want to miss lead the public with the time-frame that was mentioned. He stated that Highway 280 is not a city road, it is a state road, and the city understands that there is need for a change to accommodate traffic; they will do their best to see that this will take place over the next few years.

Chairman Sadler closed the public hearing.

Chairman Sadler stated that the property owners surrounding these properties is asking the developers to submit a overall master plan for this entire community so that they have an idea of what Preston Holdings plans to do to show for the additional traffic flow through these developed areas from now until the end of the project. He stated that he expects something to be submitted on what the developers plan to do before final, and if it has to be revised, the board understands that, but he feels the community wants an idea of what they are asking for is being met.

Chairman Sadler asked for a motion.

Mr. Van Nieuwenhuise made a motion to grant preliminary plat approval with staff requirements.

Mr. Seroyer seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary plat approval with staff requirements passed.

**6. The Estates, Phase I, 133 lots, Veterans Parkway, Preston Holdings LLC, preliminary plat approval.**

Mr. Ogren reported that the applicant is requesting preliminary approval for a 133 lot subdivision. This plat is the PUD property that was recommended to the City Council by the Planning Commission at the June meeting. The City Council approved the PUD at the July 19<sup>th</sup> meeting.

The purpose for this subdivision is to obtain preliminary approval for 131-lots for single family home construction. Most of the lots range from 7,800 s.f. to 29,620 s.f. A 6.4-acre lot is reserved for a community park & pool facility; *(the community park & pool was discussed with the City Council at the July 19<sup>th</sup> public hearing)*. A lake is provided on the Southwest corner of the plat. These are larger estate lots that have access to the lake.

As part of a PUD development, a bike lane and a sidewalk will run along Academy Estates Drive. The sidewalk is located on the opposite side of the street from the bike lane. A 10-foot grass strip will be added between the sidewalk and the curb along Academy Estates Drive. Academy Estates Drive will be lined with trees. Sidewalks will be included along the other streets shown on the plat.

Planning staff recommends preliminary approval subject to a note added to the plat stating the minimum front, side and rear setback lines for these lots.

Mr. Thomas recommends preliminary approval of a plat submitted during work session, but the following items should be addressed prior to final approval:

- a) Final approval of street names is subject to concurrence from our public safety departments.
- b) Academy Estates Drive should be renamed Academy Drive.
- c) Comprehensive property grading plan, to include building lot pads, must be submitted & approved.
- d) Show utility easements.
- e) Islands, or other items, in the public ROW, where desired, are subject to approval by City Council.
- f) Submittal, review and approval of a complete set of construction plans including, but not limited to:
  - 1) Proposed Erosion and Sediment Control (ESC) BMP implementation
  - 2) Roadway plan and profiles,
  - 3) Sanitary sewer plan and profiles, with a master plan for sewer service throughout the development.
  - 4) Storm-water management design (retention/detention) with supporting calculations, likewise with a comprehensive plan.

He stated that the applicant is aware of each these requirements.

Mr. Lee reported that water service is accessible to this subdivision by a water main in the R.O.W. of Veterans Parkway, adjacent to the Mandarin House restaurant. The developer will need to obtain a bond or letter of credit for the water systems improvements.

Mr. Posey reported that Alabama Power will provide electric service to part of this development and Opelika Light and Power will serve part of it.

Chairman Sadler opened the public hearing.

Mr. Buddy Goolsby came forth and stated that he feels it will be one of the best developments in Opelika for the future growth of the city. He said that he and Mr. Grot are trying to help to make progress with the project to move it forward.

Chairman Sadler closed the public hearing.

Chairman Sadler asked for a motion.

Dr. Whatley made a motion to grant the preliminary plat approval with staff requirements.

Dr. Lazenby seconded the motion.

Chairman Sadler asked for further discussion.

Mayor Fuller stated that the application presented at worksession stated 67 lots, not 133.

Mr. Ogren stated that the developers added 66 lots after the application was submitted, and an amended report was submitted after a meeting with Chairman Sadler, Engineering Department, and the developer last Friday after the board members received their packet.

Chairman Sadler asked for a vote.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant preliminary plat approval with staff recommendations passed.

**7. Pinedale Estates S/D, 135 lots, Lee Road 391 (PJ), Wayne Gentry, Inc. Preliminary plat approval.**

Mr. Ogren reported that the applicant is requesting preliminary plat approval for a 135 lot subdivision. This 121 acre area is located in the PJ (Planning Jurisdiction) about 1.5 miles east of South Uniroyal Road. The developer plans to build homes on the lots; mobile homes will not be allowed. Public sewer is not available to this subdivision so each lot must be at least 15,000 square feet for a septic tank. Most lots are 125' X 260' or 32,500 square feet. New streets including three cul-de-sacs are proposed for the subdivision. A bond and letter of credit for street construction costs is required before the final plat can be signed.

The plat meets preliminary subdivision plat requirements for lot size and width, and should be able to meet all final plat with the standard plat requirements added such as:

1. "tied" to a section corner
2. Certifications added
3. Large scale Vicinity map
4. 35 foot front yard setback
5. Flood plain information

Planning Staff recommends preliminary plat approval subject to plat requirements added.

Mr. Thomas reported that staff has again discussed storm-water management options with representatives of developer, including Public Works Appeals Board. He recommended preliminary approval, but the following items should be addressed prior to final approval:

- a) Clarify title relative to apparent existing subdivision.
- b) All infrastructure construction is subject to the more stringent of the City Public Works Manual or Lee County regulations.
- c) Final plat should be reduced to one (1) 24" x 36" "D" size sheet, if possible.
- d) Submittal, review and approval of a complete set of construction plans including, but not limited to:
  - 1) Proposed Erosion and Sediment Control (ESC) BMP implementation.
  - 2) Roadway plan and profiles
  - 3) Storm-water management design (retention/detention) with a development-wide master plan and supporting calculations.

He stated that a representative of the applicant is aware of each of these requirements. He also stated that traffic study would be required subject to final approval.

Mr. Lee reported that this subdivision is in the Smiths Station Water Authority's Service Area.

Mr. Posey reported that Tallapoosa River Electric Co-op will provide electric service to this development.

Chairman Sadler opened the public hearing.

Mr. Wayne Kimble, adjacent property owner, came forth and stated that his property is located near the railroad, and he has a 4-acre lake, and the land nearest to the railroad is creek-bottom, and stated that he doesn't know how a road could be built in there.

Mr. Keith Edwards, adjacent property owner, came forth and stated that he has concerns about how much water is on the land where the proposed development would go, and he asked about what kind of houses will be built in this development.

Chairman Sadler stated that the owners concerns should be cleared up through what the Engineering Department's requirements are.

Mr. Thomas stated that it's the surveyor concerns to make sure the plat is accurate for topography, the survey, and making sure the stamp on the plat is correct.

Mr. Edwards asked about the quality of the homes, and if the developer plans to annex the development in the city.

Chairman Sadler stated that this development is about a mile outside the city limits, and it would be up to the property owners between the development and the city limits if they wish to be annexed in. He stated the city would like to have the homeowners annexed in if that's what they would like to do.

Mr. Thomas stated that the reason the city requires these strict requirements is if in the future, the home owner decides to annex in, the development would already meet city requirements, and would be built to the same standards as the developments that are built within the city limits.

Ms. Peggy Clark came forth and stated that she owns the last lot on the road near this proposed development and ask where the city plans to put the new road.

Mr. Ogren stated that her property would not be affected, and pointed [on the projector] to where the proposed road would be.

Mr. Seroyer made a motion to grant preliminary plat approval with staff recommendations.

Dr. Whatley seconded the motion.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuse, Fuller

Nays: None

Abstention: None

The motion to grant preliminary and final plat approval plat approval with staff recommendations passed.

## **B. FINAL PLAT APPROVAL**

### **8. Anderson Lakes S/D, Phase 1, 36 lots, Anderson Road, Greg Hill, Final Plat Approval.**

Mr. Ogren reported that the applicant is requesting final plat approval for a 36-lot subdivision. The applicant was granted preliminary approval at the January 2005 meeting. Since then, the developer requested rezoning of a 96-acre tract from R-3 to PUD that included this subdivision. The City Council public hearing for the rezoning will be held August 16th. City Council votes on the rezoning request on September 6<sup>th</sup>.

This final plat approval request is phase 1 of this PUD. Single family detached, modified zero-lot line homes will be built on Lots 1 through 34. The lots range from 8,200 s.f. to 22,900 s.f. The homes will be 5 feet from the side property line; homes will be 10 feet apart measured from exterior walls. Subject to the PUD rezoning approval by City Council, the minimum building setbacks are 25' front yard, 20' rear yard and 5' side yard. Overall density is about 2 dwellings per acre for this subdivision. Lots 35 and 36 are Phase 3 & 4 of the PUD.

A bond and letter of credit is required for new streets improvements for Phase 1 before the plat is signed.

Planning Staff recommends final plat approval subject to City Council's approval of the PUD rezoning and with the following recommendations that were stated at the PUD rezoning request before the Planning Commission:

1. A floor plan will need to be reviewed by the Building Inspection department prior to approval due to the restrictive building code requirements for modified zero-lot line construction.
2. A note on the plat stating the 5-foot side and 20-foot rear yard setback requirements. *[The 25 foot front yard setback is shown on the plat.]*
3. We have had drainage problems with modified zero-lot line homes. A site grading plan with pad elevations, swales and finished floor elevations shall be submitted to the Building Inspection office prior to the issuance of individual building permits for each zero-lot line home.
4. Landscaping for the PUD includes the single family homes and apartments as required in Section X Landscape Regulations of the Zoning Ordinance. For each phase of the development (phases shown on the site plan) and before a building permit is issued within a phase, submit a landscape plan in accordance to the Landscape Regulations. If applicable, include landscaping costs in the bond and letter of credit submitted for streets and other infrastructure.
5. All utilities must be underground.

Mr. Thomas stated that Engineering design drawings have been reviewed and approved. He recommended approval, subject to a bond or letter of credit for improvements not fully complete.

Mr. Lee reported that water service is accessible to this subdivision by a water main in the R.O.W. of Anderson Road. The developer will need to post a bond or letter of credit for the water system improvements.

Mr. Posey reported that Alabama Power will provide electric service to this development.

Chairman Sadler asked if anyone in the audience had any comments or questions.

No comments from the audience were made.

Chairman Sadler asked for a motion.

Mr. Van Nieuwenhuise made a motion to grant final plat approval with staff recommendations.

Dr. Whatley seconded the motion.

Chairman Sadler asked for further discussion.

Chairman Sadler asked for a vote.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant final plat approval with staff recommendations passed.

**9. Stephens Woods, Phase IV, 32 lots, off West Point Parkway, (Lizlin Dr. new street), Preston Holdings LLC, Final Approval.**

Mr. Ogren reported that the applicant is requesting final plat approval for a 32-lot subdivision. The property is located off Ridge Road and west of a new street called Sawyer Drive. The preliminary plat for these 32 lots was reviewed at the December 2004 meeting. This is Phase 4 of the Stephens Woods subdivision. We approved Phase 3 at the June PC meeting.

The subdivision is located in an R-3 zone and 7,500 square feet is the minimum lot size requirement. The lots range in size from 9,950 to 22,316 square feet. Parcel A3 is 10 acres and reserved for future development or Phase 5. A stub-out for a future street to access property west of this subdivision is provided between Lots 40 & 41.

The plat meets all preliminary subdivision plat requirements and should be able to meet all development requirements.

Most of the lots will be accessed from a new street called Lizlin Drive. A bond and letter of credit is required for infrastructure improvements before the plat is signed.

Planning Staff recommends final plat approval.

Mr. Thomas reported that the north/south segment of Lizlin Drive should be relabeled Street, in accordance with the minutes of our April PC meeting. The lot south of the proposed cul-de-sac on Lizlin Drive, which is the site of a proposed detention pond, should have lot number and is labeled non-buildable, since it has no public road access. He recommended approval, subject to the following:

- a) A bond or letter of credit, payable to the City of Opelika, for any infrastructure improvements not fully complete prior to signing the final plat.
- b) A traffic study, including, but not limited to, ultimate capacity of Ridge Road, as stated in April PC minutes.

Mr. Lee reported that water service is accessible to this subdivision by a water main in the R.O.W. of Sawyer Drive. The developer will need to post a bond or letter of credit for the water system improvements.

Mr. Posey reported that Opelika Light & Power serves power to this subdivision.

Chairman Sadler asked for a motion.

Mr. Pridgen made a motion to grant conditional use approval.  
Dr. Lazenby seconded the motion.

Chairman Sadler asked for further discussion.

Chairman Sadler asked for a vote.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant final plat approval with staff recommendations passed.

### **C. CONDITIONAL USE**

#### **10. Howard Galimore (Dorn's Auto Parts), 1201 1<sup>st</sup> Avenue, M-1, retail in industrial zone.**

Mr. Ogren reported that the applicant is requesting conditional use approval for a welding supplies and retail store in an M-1 (manufacturing) zoning district. The store will occupy the addition recently built onto Dorn's Auto Parts store on 1<sup>st</sup> Avenue. Originally, the plan was to provide more floor area for the auto parts store, but plans changed for the two businesses (both owned by a family) to move the new welding supplies business to the new addition. (The Welding shop was located at the former Woods Marine property on Samford Avenue). The Zoning Ordinance requires conditional use approval for retail stores in a manufacturing zone. Additional parking was added for the addition so the site meets minimum parking requirements.

Planning staff believes the proposed use is appropriate for the location. There are similar type businesses in this M-1 zoning strip that are mostly customer service type businesses. A plumbing supplies business is next door and an auto tire store is across the street. Most of the properties along this M-1 zoning strip on 1<sup>st</sup> Avenue are fully developed.

Planning staff recommends conditional use approval.

Mr. Thomas recommended approval.

Mr. Lee had no comment.

City Horticulturist had no comment.

Mr. Posey reported Opelika Light and Power provides electrical service to this building.

Chairman Sadler asked for a motion.

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

Dr. Whatley seconded the motion.

Chairman Sadler asked for further discussion.

Chairman Sadler asked for a vote.

Ayes: Wood, Seroyer, Lazenby, Whatley, Van Nieuwenhuise, Fuller

Nays: None

Abstention: None

The motion to grant conditional use approval with staff recommendations passed.

**11. S.W.A.T. Fitness Center, Mid-Way Plaza shopping center, Pepperell Pkwy, C-3, GC-2, indoor fitness center.**

Mr. Ogren reported that the applicant is requesting conditional use approval for an indoor fitness center in the Mid-Way shopping center on Pepperell Parkway. The property is located in a C-3, GC-2 zoning district. This portion of the shopping center was at one time a NAPA auto parts store. The fitness center provides weight lifting and aerobic machines for its customers. The fitness center is open Monday-Thursday 5 a.m. to midnight, Friday 5:00 a.m. to 10 p.m. and Saturday & Sunday from 8:00 a.m. to 8:00 p.m. Staff believes the proposed conditional use is appropriate for the area.

Planning staff recommends conditional use approval.

Mr. Thomas recommended approval.

Mr. Lee, Utilities Board, had no report.

City Horticulturist had no comment.

Mr. Posey reported that Opelika Light & Power provides electrical service to this building.

Chairman Sadler asked for a motion.

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

Dr. Lazenby seconded the motion.

Chairman Sadler asked for further discussion.

Chairman Sadler asked for a vote.

Ayes: Wood, Seroyer, Van Nieuwenhuise, Lazenby, Whatley, Fuller

Nays: None

Abstention: None

The motion to grant conditional use approval with staff recommendations passed.

**D. SKETCH PLAN REVIEW**

**12. Mixed use-commercial & residential in C-3, GC-2 zone, Kongkeo T. Silavauh, 2115 2<sup>nd</sup> Avenue.**

The Sketch Plan Review for Mr. Kongkeo T. Silavauh was reviewed at the Planning Commission work-session on Thursday, July 21<sup>st</sup> at 4:00 p.m.

With no further business on the agenda, Chairman Sadler adjourned the meeting at 4:05 p.m.

\_\_\_\_\_ H.J. Sadler, Chairman

\_\_\_\_\_ Martin D. Ogren, Secretary