

THE CITY OF PHENIX CITY PLANNING COMMISSION AGENDA TUESDAY, SEPTRMBER 11, 2018 5:15 PM EST

- 1) Welcome, Call to Order, and Roll Call
- 2) Approval of Agenda
- 3) Acknowledge City Council and City Personnel Present
- 4) Approval of the August 28, 2018 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Public Hearing and Approval of Annexation 2.00+/- acres at 3899 U.S. Highway 80 West M.D Evans (James Robert Vance, Executor of the Estate of Miriam D. Evans) owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Approval of Final Plat Dove Ridge Subdivision, 376 Lee Road 312 Herbert M. Williams, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 8) Old Business
- 9) New Business
- 10) Adjournment

AUGUST 28, 2018

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, August 28, 2018 at 5:15 PM EST in the Phenix City Council Chambers located in the Public Safety Building, 1111 Broad Street.

Chairman Pat Howard called the meeting to order and asked Secretary Culligan to call roll. Upon roll call, the following members answered present: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Not present were Member Gill and Member Sims.

The second item on the agenda was the Approval of the Agenda. Vice Chairman Davis made a motion to approve, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Nays: None. Motion thus passed.

The third item on the agenda was the Acknowledgement of City Council; District One Councilmember Bailey. Chairman Howard asked Secretary Culligan to note the City Employees that were present in the minutes. The following City Personnel were present: City Engineer Angel Moore, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Clay Massey, Fire Marshal Marc Wells, Building Official Gil Griffith, Utilities Engineer John Spraggins, Utilities Director Stephen Smith, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the August 14, 2018 meeting minutes. Chairman Howard asked if there was a motion to approve the written minutes and remove the recorded minutes. A motion to approve was made by Vice Chairman Davis and seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Nays: None. Motion thus passed.

The fifth item on the agenda, Chairman Howard set the rules for addressing the Planning Commission.

The sixth item on the agenda was the Public Hearing and Approval of Preliminary Plat for Dove Ridge Subdivision at 376 Lee Road 312, Herbert M. Williams, owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Chairman Howard asked Secretary Culligan to read the department memo.

<u>MEMO</u>

To: Planning Commission

From: Angel Moore, City Engineer/Public Works Director

Date: August 22, 2018

RE: Preliminary Plat for Dove Ridge Subdivision

The above referenced administrative replat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Subdivision Regulations with the exception of the approved waiver. A waiver was approved on June 26, 2018 by Planning Commission to allow more than 10% of the lots to be flag lots.

At this time Chairman Howard opened the Public Hearing. With no one coming forward the Public Hearing was closed. Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Vice Chairman Davis and seconded by Member

Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Abstain: Member Bailey. Nays: None. Motion thus passed

The seventh item on the agenda was the Acceptance of Annexation of 1.99+/- ac located at 3899 US Hwy 80W, M.D. Evans (James Robert Vance, Executor of the Estate of Miriam D. Evans), owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Chairman Howard asked Secretary Culligan to read the department memo.

MEMO

To: Planning Commission

From: Angel Moore, City Engineer/Public Works Director

Date: August 22, 2018

RE: Annexation and Pre-Zone – 1.99+/- Acres at 3899 US Highway 80 West, James R.

Vance, Applicant

The above referenced petition has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for Annexation and Pre-Zone to C-4 Zoning.

At this time Chairman Howard asked for a motion to attach the "Petition For Annexation" to the minutes. A motion to do so was made by Member Taylor and second by Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Abstain: None. Nays: None. Motion thus passed. Chairman Howard asked if there was a motion to accept the petition for annexation. A motion to accept was made by Member Ivy and seconded by Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Abstain: None. Nays: None. Motion thus passed.

The eighth item on the agenda was the Approval of Waiver of 18.64+/- acres located on Highway 280/431N between McDonald's and Goodwill, Halpren Enterprises, Inc., owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Secretary Culligan read the waiver.

REQUEST FOR WAIVER

Name of Developer: Halpern Enterprises, Inc.
Name of Engineering Firm: Foresite Group, Inc.
Name of Subdivision: Phenix City Marketplace

State in full why a waiver is being requested: A waiver is requested to reduce the ROW from 60' to 50'. Site layouts for this project utilizing a 50' ROW began in 2016 prior to the new subdivision regulations being approved in April of 2016. The roads on-site have been designed for future dedication to the city. Due to the existing topography of the site, proposed grades include a steep slope at the back of the site. The steep slope limits the size of the lots south of Road B. Increasing to a 60' ROW would reduce the size of the rear lots and make them unviable. The location of Road A was set in coordination with ALDOT on driveway spacing. Increasing the ROW width would reduce the width of Lot A, making it unviable.

State facts which the waiver is relying upon: The request for variance is being submitted to the City of Phenix City Engineering Department by Foresite Group, Inc. on behalf of Halpern Enterprises, Inc. in accordance with the 2016 Subdivision Regulations.

Prior to approval of the 2016 Subdivision Regulation, in April 2016, the required ROW width was 50'.

List any attachments to this petition: See attached Waiver Plan. (attached to minutes) Provide a short explanation why you believe the waiver should be approved: The waiver should be approved in order to allow the overall development to have adequately sized lots that businesses will be able to utilize for a functioning site plan.

Signature of Owner: Steve A. West, VP Development

Date: August 11, 2018

Discussion followed with representative's Wes Thrash from Forsite Group and Steve West from Halpern Enterprises, Inc.

Chairman Howard asked Secretary Culligan to read the department memo.

MEMO

To: Planning Commission

From: Angel Moore, City Engineer

Date: August 22, 2018

RE: Request for Waiver - Phenix City Marketplace, US HWY 280, Steve West &

Halpern Enterprises, Inc., Applicants

The above referenced Request for Waiver has been reviewed by the Building, Utilities, Fire, and Engineering Departments. The Subdivision Regulations state in Article IV, Section 3, Item A., "Minimum right-of-way (ROW) widths, measured from lot line to lot line, and minimum street widths shall be as follows:

Classification	Minimum Width of Pavement	Minimum Width from Back of Curbs	Minimum Width of ROW	Sidewalks (If Required)
Local Street	26	30	60	One Side
Minor Collector Street	30	35	60	One Side
Major Collector Street	36	41	60	Both Sides
Arterial	48	53	80	Both Sides

The proposed development does not meet the Minimum Width of ROW requirement; therefore, they are requesting a waiver.

Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Member Ivy and seconded by Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Abstain: None. Nays: None. Motion thus passed.

The ninth item on the agenda was the Approval of Administrative Replat of .32+/- acres located at 213 14th Avenue South for Melvin Stafford, owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. Chairman Howard asked Secretary Culligan to read the department memo.

MEMO

To: Planning Commission

From: Angel Moore, City Engineer/Public Works Director

Date: August 22, 2018

RE: Administrative Replat - 0.32+/- Acres at 213 14th Avenue South, Melvin Stafford, owner

The above referenced administrative replat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Subdivision Regulations.

Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Vice Chairman Davis and seconded by Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Abstain: None. Nays: None. Motion thus passed

The tenth item on the agenda was Old Business. Recording Secretary Kathy Jo Davis reminded everyone present about re-certification classes. The City of Smiths Station is having certification and re-certification classes on Thursday, September 20, 2018 and Friday, September 21, 2018. Due to the classes being close to Phenix City the members need to attend and they have until Friday, August 31, 2018 to let Kathy Jo Davis know if they will attend. It was stated that if you sign up you need to make every effort to attend due to the cost of \$200.00 per person the city will pay and there are no refunds.

The eleventh item on the agenda was New Business. None.

The twelfth item on the agenda was the Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy and seconded by Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Taylor, and Member Culligan. Nays: None. Abstain: None. Motion thus passed.

There being no further business to come before the Planning Commission, the meeting was adjourned until the next scheduled meeting on Tuesday, September 11, 2018.

Chairman - Pat Howard	Secretary - Shaun Culligan



601 12th Street | Phenix City, AL 36867

Ph: 334-448-2760

DR. R. GRIFF GORDY Councilmember At Large

STEVE BAILEY Councilmember District 1 **EDDIE N. LOWE** Mayor

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk

ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Staff Report No. 6

Type of Plat: Annexation

Applicant:

James R. Vance

Site Location:

3899 US HWY 80 West

Acreage:

1.99

Current Zoning Classification:

Not Zoned, Planning Jurisdiction Only

Proposed Zoning Classification:

C-4, Highway Commercial District

Current Use of Property:

Residential

Proposed Use of Property:

As allowed by C-4 Zoning

Annexation Map:

Attached

City Services:

Police Jurisdiction, Water - Current If annexed, will receive all City services.

Additional Information:

None at this time

Engineer and or Owner Comments:

None at this time









TTION FOR ANNEXATION
Engineering/Public Works Department
1111-B Broad Street

Phenix City, AL 36867 334-448-2760

City of Phenix City

Ordinance No.

Applicant Name: JAMES 12. VANCE Subdivision Name:
Mailing Address: 26 Jamie Lane Area: 1.99 Ac
Mailing Address: Zb Jamie Lane Area: 1.99 Ac. Phenix City, Al. 36869 Phone Number:
Email Address:
Current Address Assigned to Property: 3899 Highway 80 Phenix City, AL.
APPLICANT MUST ATTACH DEED(S) & TAX RECEIPT COVERING THE ENTIRE SUBJECT PROPERTY. ALL METES & BOUNDS DESCRIPTIONS & LIST OF ADJOINING PROPERTY OWNERS & ADDRESSES MUST BE SUPPLIED.
OWNERSHIP CONFIGURATION: Single Parcel/Single Ownership Single Parcel/Multiple Ownership Multiple Parcels/Multiple Ownership Multiple Parcels/Multiple Ownership
THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPARTMENT AND BUREAU OF THE CENSUS.
Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation. 1. a. Is this property your principal residence? Yes No (If "Yes." answer part B)
b. Applicant's Marital Status: Single Married Separated Divorced Widowed
b. Number of persons living on subject property:
c. Of all persons residing on the property, how many are of voting age (18 years or older)?
d. Of all persons residing on the property, how many are: White African American Hispanic Asian/Pacific Islander American Indian/Eskimo/Aleut Other
e. Number of children in household: Ages:
f. Proposed Use of Property (if any): FAST FOOD RESTAURANT WITH DRIVE THRU
GENERAL DESCRIPTION OF PROPERTY (Include acreage, subdivision name, lot number, etc.): 1.99 ACRES. TAX ID. NO. 57-04-06-13-2-002-003.000 DEED BOOK 515, PAGE 642
I, the applicant, certify that all) of the above facts are true and correct to the best of my knowledge. APPLICANT SIGNATURE Simula () (correct APPLICANT'S NAME (Please Print): AMES R VANCE (EXECUTOR) DATE: 8/13/18
that <u>James R. Vance</u> , the undersigned authority, a Notary Public in and for said State and County, hereby certify that <u>James R. Vance</u> , as owner of above described property and whose name is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that being informed of the authority, executed the same voluntarily.
Given under my hand and seal on this the 13th day of AUGUST . 2019.
My Commission Expires: Notary Public My Commission Expires: My Commission Expires: My Commission Expires: February 7, 2021

ON FOR ANNEXATION & PRE-ZO(To the City of Phenix City, Alabama: We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City Manager this written petition asking and requesting that our property as described be annexed to the City of Phenix City, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Alabama 1975. We further certify that said property is contiguous to the city limits of the City of Phenix City, Alabama and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the preceding description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by §11-42-21. Code of Alabama 1975. A map and written legal description of said property is attached. We, the undersigned, fully understand that some municipal services, including water and sanitary sewer, may not be available to the subject property upon annexation and that said services may be extended or otherwise made available at the option of the City of Phenix City, Alabama. We also understand that the subject property lies within the utility jurisdiction and furthermore understand that the City cannot extend said services into another utility jufisdiction. Eurthermore, we certify that we understand fully that, following annexation, the subject property shall be subject to all laws and codes administered by the City of Phenix City, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Phenix City. We do hereby request that the City Council and City Manager give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Phenix City, Alabama shall be rearranged so as to include such territory. We also request that the property be in voting district ____ and pre-zoned IN WITNESS WHEREOF, we have hereunto subscribed our names this the Names and signatures of Signature: ALL property owners: Print Name: Signature: Print Name: Signature: Print Name: Signature: Print Name: , the undersigned authority, a Notary Public in and for said State and County, hereby certify __, as owner of above described property and whose name is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that being informed of the authority, executed the ame voluntarily.

Siven under my hand and seal on this the 13th day of AUGUST

votary Public

ist of Adjoining Property Owners & Addresses Attached?

Deed & Tax Receipt Attached?

My Commission Expires:

Metes & Bounds Description Sup lie

KARI RAWLINS My Commission Expires February 7, 2021

lote: If the property contains a structure and is located in Lee County, a fee of \$250 must be paid by the applicant prior to ubmission of this application to the City Council.



EUGINEERING / PUB

601 12th Street | Phenix City, AL 36867

Ph: 334-448-2760 | Fx: 334-291-4848

phenixcitual.us

DR. R. GRIFF GORDY Councilmember At Large

RE:

STEVE BAILEY Councilmember District 1 **EDDIE N. LOWE** Mayor

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

MEMORANDUM

To: **Planning Commission**

From: Angel Moore, City Engineer

Date: September 6, 2018

Annexation and Pre-Zone – 1.99 +/- Acres at 3899 US Highway 80 West, James R.

Vance, Applicant

The above referenced petition has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for Annexation and Pre-Zone to C-4 Zoning.







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DR. R. GRIFF GORDY Councilmember At Large

STEVE BAILEY Councilmember District 1 **EDDIE N. LOWE**

Mayor

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Staff Report No. 7

Type of Plat: Final Plat

Applicant:

Herbert M. Williams

Surveyor of Record:

George W. Barrett

Site Location:

376 Lee Road 312

Acreage:

18.57

Number of Lots:

7

Reason for Replat:

Creation of residential lots

Current Zoning:

N/A, Planning Commission Jurisdiction Only

Current Use of Property:

Residential

Proposed Use of Property:

Residential

Survey Plat:

Attached

City Services:

Water

Additional Information:

Waiver was approved on June 26, 2018 by Planning Commission

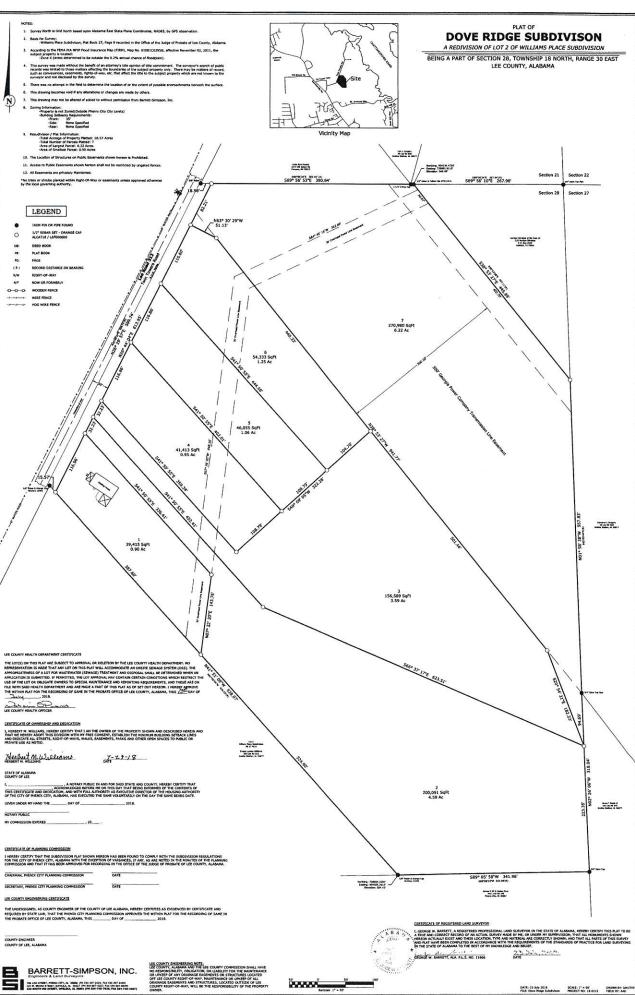
to allow more than 10% of the lots to be flag lots.

Engineer and or Owner Comments:

None at this time









EUS / DAIREEMIDAE

601 12th Street | Phenix City, AL 36867

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DR. R. GRIFF GORDY Councilmember At Large

STEVE BAILEY Councilmember District 1 **EDDIE N. LOWE** Mayor

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ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

MEMORANDUM

To: Planning Commission

From: Angel Moore, P.E., City Engineer/Public Works Director

Date: September 6, 2018

Final Plat for Dove Ridge Subdivision

The above referenced final plat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Subdivision Regulations with the exception of the approved waiver. A waiver was approved on June 26, 2018 by Planning Commission to allow more than 10% of the lots to be flag lots.



