

### THE CITY OF PHENIX CITY PLANNING COMMISSION AGENDA TUESDAY, APRIL 9, 2019 5:15 PM EST

- 1) Welcome, Call to Order, and Roll Call
- 2) Oath of Office Sierra McKissic
- 3) Approval of Agenda
- 4) Acknowledge City Council and City Personnel Present
- 5) Approval of the March 26, 2019 Meeting Minutes
- 6) Rules for Addressing Planning Commission
- 7) Request for Waiver 23.70+/- Acres located on US Hwy 280 East BFI, Inc. (Michael Bowden) owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 8) Approval of Amended Preliminary Plat Ladonia Commercial located off Highway 80 Girard Partners, LP, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 9) Old Business
- 10) New Business
- 11) Adjournment

#### **OATH OF OFFICE**

"I solemnly swear that I am eligible for membership on the Planning Commission of the City of Phenix City, and will execute the duties of same according to the best of my ability, and that I will support the Constitution, and will obey the Laws of the United States and the State of Alabama; that I will, in all respect, observe the provisions of the Ordinances of the City of Phenix City, and will faithfully discharge the duties of the office of the Planning Commission of the City of Phenix City, Alabama."

	Sierra McKissic	
	Date	
ATTEST:		
Pat Howard, Chairman, Phenix City Planning Commission		

#### March 26, 2019

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, March 26, 2019 at 5:15 PM EST in the Phenix City Council Chambers located in the Public Safety Building, 1111 Broad Street.

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

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, and Member Taylor. Abstain: None. Nays: None. Motion thus passed.

Chairman Howard asked Recording Secretary Davis to note the City Employees that were present in the minutes. The following City Personnel were present: City Engineer Angel Moore, Assistant Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Fire Chief Kris Kennedy, Fire Marshal Marc Wells, Building Official Gil Griffith, Utilities Director/Asst. City Manager Stephen Smith, City Attorney Jim McKoon, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the March 12, 2019 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 Member Ivy, 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, and Member Taylor. Nays: None. Abstain: 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 Rezone 6.1+/acres located at 3000 4th Avenue, 2904 4th Avenue, and 29th Street for River Trace, LLC (Michael Bowden) and Joseph Barker, owners. City Engineer Angel Moore reviewed the staff report with the board members. At this time Mr. Mike Bowden came forward, Mr. Bowden presented to the Board members a tax map in reference to the Zoning of R-1 vs. R-2. Mr. Bowden stated 90% of the lots conforms to an R-2 but the area is zoned an R-1. He is rezoning in order to be compatible to the other lot sizes of the area. He purchased a home and it is a 250ft wide lot. Mr. Bowden states he wants to replat the house in order to sell. He has gone before the BOZA Board and was denied. The only way to replat the lot width to 80-85ft is to rezone. Mr. Bowden does not plan on developing the land anytime soon. Discussion followed with Board members and City Department Heads. Member Bailey stated that if the property was zoned to an R-2 and Mr. Bowden sells the property tomorrow, the new owner can come in and develop today under the R-2 Zoning requirements. City Attorney Jim McKoon asked Mr. Bowden, if he was just concerned with replating the house and didn't want to rezone the remaining property and Mr. Bowden agreed. Billy Mixon that resides on 33rd Place asked if the Planning Commission Board had any pull / authority to file a recommendation to the BOZA Board to support the variance. Discussion continued. Chairman Howard asked Recording Secretary to read the department memo.

#### MEMO

To: Planning Commission

From: Angel Moore, City Engineer

Date: March 22, 2019

RE: Rezone - 6.1 +/- Acres at 3000 4th Avenue, 2904 4th Avenue and 29th Street, River

Trace LLC (Michael Bowden) and Joseph Barker, Owners

The above referenced rezone has been reviewed by the Building, Fire, Engineering, and Utilities Departments and meets the minimum requirements of the Zoning Ordinance for an R-2, Medium Density Residential District for Acceptance. The Comprehensive Plan states that mature neighborhoods are valuable resources that should be protected, enhanced and revitalized and that new neighborhood development will complement the overall community development and improvement. The policies and guidelines of the Comprehensive Plan encourage residential in-fill development within the existing neighborhoods with housing of similar style and size.

At this time Chairman Howard opened the public hearing. Mr. James Oliver of 2506 1st Avenue came forward. Traffic congestion at any location of entrance, low property values and crime were his concerns with the possible rezone. Next to come forward was Serena Conner of 2708 3rd Avenue. Ms. Conner presented to Chairman Howard a petition with about 138 signatures of surrounding property owners of the proposed rezone. Her concerns as well were the amount of increase in the traffic as they already have issues, crime and the noise. It is a Low Density neighborhood, they don't want to stop growth in Phenix City just keep it the same as what is currently there. Board members stated that crime is everywhere not in just one particular area / neighborhood / zone of Phenix City. Silvia Galvis of 2807 1st Avenue came forward and asked if Bobby Peters was associated with Mr. Bowden or Mr. Barker. Mr. Bowden stated he was not. Chairman Howard asked how long Mr. Bowden had owned the property and he stated about 8-10 years. Darlene Harrelson of 302 29th Street also came forward and stated that if the entrance was on 29th Street she would be able to reach out and touch the cars coming into the development, and the traffic was a concern. Member Davis suggested Mr. Bowden go back to the BOZA Board. Discussion followed. Assistant City Manager Stephen Smith came forward and stated that the Administration had some reservations about the potential R-2 Zoning on the property. Duplexes and other types would not be comparable in the neighborhood. His suggestion would be for Mr. Bowden to ask for a R1-B with 75ft lots, single family dwellings that would meet his requirements to sell his lot. Discussion followed. Mr. Bowden withdrew his request to rezone. At this time Chairman Howard closed the public hearing.

The seventh item on the agenda was Old Business. None.

The eighth item on the agenda was New Business. City Engineering introduced new Graduate Engineering Chris Casey and stated he would be attending the meetings and will be helping out with planning commission.

The ninth 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, 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, and Member Taylor. 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, April 9, 2019.

Chairman - Pat Howard	Vice Chairman – Jimmy Davis



601 12th Street | Phenix City, AL 36867

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

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. Mayor Pro Tem / 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 Request:

Waiver

Applicant:

Michael Bowden and BFL, LLC.

**Engineering Firm:** 

**Barrett-Simpson** 

Site Location:

U.S. HWY 280 E Parcel # 43 1 09 30 0 000 019.001

Acreage:

23.70

Number of Lots:

68 (proposed)

Reason for Waiver Request:

Allow a 68 lot subdivision to have 1 entrance/exit

**Current Zoning:** 

R-3

**Current Use of Property:** 

Vacant

Proposed Use of Property:

Residential

Survey Plat:

**Attached** 

**City Services:** 

Fire & Police Jurisdiction

**Additional Information:** 

The Request for Waiver is attached. The request does not meet the

Subdivision Regulations. See the attached memo.

**Engineer and or Owner Comments:** 

See application for waiver





## REQUEST FOR WAIVER

NAME OF DEVELOPER(S): BFI, LLC
NAME OF ENGINEERING FIRM: Barrett-Simpson
EMAIL ADDRESS OF OWNER: MBOWNEN 7@ AOL, COM
NAME OF SUBDIVISION: Wynnbrook
LOCATION OF SUBDIVISION: 1 US Highway 280E parcel # 43 14 09 30 0 009.001
STATE IN FULL WHY A WAIVER IS BEING REQUESTED:
According to Subdivision regulations in phenix City, there must be
2 entrances/exits in subdivisions with more than 60 Lots. Because
of our location, the D.O.T. has informed us that having 2 entrances ubuld
De impossible. Therefore, we are requesting a variance to allow 1
entrance in our 68 lot 5/D.
CTATE EACTS LIBON WHICH THE WALKED AS DELANDED.
STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON:
Department of Transportation letter
Property of purchase date (purchased property before 60+ 2 entrance
regulation went into effect)
LIST ANY ATTACHMENTS TO THIS PETITION:
tax record, tax map, copy of deed, D.O.T. email, D.O.T.
attachments, site plan
PROVIDE A SHORT EXPLAINATION WHY YOU BELIEVE THE WAIVER SHOULD BE APPROVED:
With only 60 Lots, this project becomes financially burdened
o offset developmental cost. 8 more lots will provide for 8 more houses,
sales tay on materials, somer & water reduced navenue to sit.

SIGNATURE OF OWNER

3-12-19 DATE

From Mark Anderson Mental Subject Fwd: 280/431 access

Date. February 12, 2019 at 3:53 PM

To: Mike Bowden imbolarten in the interpretation from the state of the

Sent from my iPhone

Begin forwarded message:

From: Mark Anderson < tma4211@yahoo.com>
Date: January 29, 2019 at 2:28:34 PM EST

To: brent.osborn32@gmail.com Subject: Fwd: 280/431 access

Sent from my iPhone

Begin forwarded message:

From: "Armstrong, Omar" < armstrongo@dot.state.al.us>

Date: January 29, 2019 at 12:28:23 PM EST

To: "Mark Anderson (tma4211@yahoo.com)" < tma4211@yahoo.com>

Subject: 280/431 access

Mark, after speaking with you this morning I went out and looked at the location to see if we would be in favor of 2 entrances on 280/431. Due to several factors we would not be in favor of 2 driveways. We have guardrail in place which blocks approximately 700' of your frontage leaving only about 500' of usable frontage. Table 4.2 allows for 2 driveways to a property with 660'-1980' of frontage but other roadway conditions also factor into this decision. ALDOT requires that corner clearance of the new entrance must be 660' from any existing connection in either direction (Table 4.1). A right turn lane will also be required with a total length of 550' due to the posted speed of 65MPH (Table 4.6). Meeting these requirements would only leave you room for one entrance to the property. The second entrance would have to be 660' from the first one. All of this information can be found on our website in Chapter 4 of the Access Management Manual. (see link below)

https://www.dot.state.al.us/maweb/pdf/ALDOT%20Access%20Management%20Manual.pdf

Omar A. Armstrong Jr. Asst. District Manager SERMA District 6 56 Silver Run Drive Seale, AL 36875 (334) 855-4735 Office (334) 855-9978 Fax

#### **TABLE 4.1 Connection Spacing Requirements**

(See Section 4.3.3 for Corner Clearance Connection Spacing Requirements)

	Minimum Required Spacing without Median			Minimum Required Spacing with Median	
Connection Type	<45 mph		45		
	2-lane rural *	All other	> 45 mph	<45 mph	> 45 mph
Directional Access	250 ft	440 ft	660 ft	440 ft	660 ft
Full Access (unsignalized)	250 ft	660 ft	1,320 ft	1,320 ft	1,320 ft
Full Access (signalized)	1,320 ft	1,320 ft	2,640 ft	1,320 ft	2,640 ft

- \* Minimum spacing criteria only applies to two-lane rural roads exhibiting ALL of the following characteristics:
  - 1. Outside of Metropolitan Planning Organization (MPO) boundaries\*
  - 2. Current ADT levels < 2,000
  - 3. Peak hour trip generation potential of the proposed development < 50 total peak hour trips

In the case of large developments with outparcels, access for outparcels should be provided only internally; however, shared or individual direct connections may be permitted provided that **twice the normal spacing** requirements are met.

It should be noted that recognizing different uses and owner/user needs, ALDOT treats residential and commercial/industrial connections differently. The following sections define special conditions and considerations relating to residential and commercial connection locations.

#### 4.3.1 Residential Driveway Spacing Requirements

ALDOT will allow a maximum of one access point or one connection per existing parcel for single-family residential homes. For conditions that do not meet minimum criteria outlined in this manual, ALDOT may require alternative access configurations such as (but not limited to):

- shared use accesses,
- service roads, and
- back frontage roads.

#### 4.3.2 Commercial /Industrial Connection Spacing Requirements

ALDOT requires minimum driveway spacing criteria based on the posted speed/classification of the roadway. However, there are certain special conditions that may require further examination to determine acceptable property access. Commercial/industrial driveways often present challenges to spacing criteria based on the amount of roadway frontage and the size of the parcels. Therefore, the size and type of access required should be considered.

As routes redevelop, there will be a desire by developers to have multiple driveways for certain land uses. The authorization of multiple driveways will be considered based on the amount of continuous parcel frontage. ALDOT will consider additional driveways only for parcels with frontage exceeding 660 feet. ALDOT criteria for the number of allowable commercial/industrial driveways are shown in Table 4.2.

<sup>\*</sup> A listing of MPOs in Alabama can be found at https://www.ampo.org/directory/

**TABLE 4.2 Required Parcel Frontage for Driveways** 

Desired Number of Driveways*	Required Parcel Frontage	
2	660 ft - 1,980 ft	
3 or more	>1,980 ft	

<sup>\*</sup>Subject to minimum trip criteria and other roadway conditions such as proximity to driveways from adjacent properties, ALDOT may require fewer driveways.

Although multiple driveways may be allowed, access to additional driveways is subject to the roadway cross-section and median opening locations. Driveways with no corresponding median opening shall be limited to directional connections. Connection types allowed within a parcel will be determined by the connection spacing requirements of Section 4.3 and will consider existing and proposed (if known) connection types adjacent to the parcel on both sides of the roadway. If certain types of connections are desired, the allowable number of connections will be subject to reduction.

#### 4.3.3 Corner Driveway Clearance

In some cases, parcel boundaries may require driveways near intersection corners. The required corner driveway clearance refers to the distance from an intersection of a cross road to the nearest driveway connection either before or after the intersection. It is desirable to maximize this distance to preserve traffic flow in the vicinity of intersections.

The corner driveway clearance is the distance measured from the closest edge of pavement from the intersecting road measured along the travel way (through lanes) to the point of curvature of the driveway. If the side street is signalized the distance is measured from the stop line to the point of curvature of the driveway. Requirements for corner connection clearance access are shown in Tables 4.3 and 4.4.

TABLE 4.3 Corner Clearance Connection Spacing Requirements
WITHOUT MEDIAN

		Minimum Required Corner Clearance WITHOUT MEDIAN			
Connection Type	≤45 m	<45 mph			
	2-lane rural *	All other	> 45 mph		
Right-In (upstream only)	125 ft	250 ft	440 ft		
Right-Out (downstream only)	125 ft	250 ft	660 ft		
Right-In/Right-Out	250 ft	275 ft	660 ft		
Full Access (unsignalized)	250 ft	660 ft	1,320 ft		
Full Access (signalized)	1,320 ft	1,320 ft	2,640 ft		

Minimum spacing criteria only applies to 2-LANE RURAL roads exhibiting ALL of the following characteristics:

Note: It is desirable to maximize the distance between the corner parcel connection and the adjacent intersection. Minimum connection spacing criteria for corner clearance should only be considered when greater spacing cannot be achieved.

<sup>1.</sup> Outside of Metropolitan Planning Organization (MPO) boundaries\*\*

<sup>2.</sup> Current ADT levels < 2,000

<sup>3.</sup> Peak hour trip generation potential of the proposed development < 50 total peak hour trips

<sup>\*\*</sup> A listing of MPOs in Alabama can be found at <a href="https://www.ampo.org/directory/">https://www.ampo.org/directory/</a>

Minimum ALDOT requirements for the geometric design elements of left turn lanes are shown in Table 4.6.

	TABLE 4.6 Minimum L	engths for Left Turn	Geometric Design	<b>Elements</b>
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Total Turn Lane Length (ft)	Taper Length (ft)	Transition Taper Length (ft)	
325	100	26.7 * W	
375	100	45.0 * W	
425	100	50.0 * W	
465	180	55.0 * W	
500	180	60.0 * W	
550	180	65.0 * W	
600	180	70.0 * W	
	Length (ft)  325  375  425  465  500  550	Length (ft)         Taper Length (ft)           325         100           375         100           425         100           465         180           500         180           550         180	

All turn lane lengths shown in Table 4.6 account for a 10MPH reduction in the through travel lane prior to entering the turn lane.

Lengths illustrated in Table 4.6 are stated minimum values only. Minimum left turn lane lengths will only be allowed in instances where projected peak vehicle queue does not exceed the minimum storage length. A vehicle queue analysis for morning and afternoon peak periods must be included to justify the proposed storage length component for any left turn lane permit application (see Section 4.5.2.3).

#### 4.5.2.2 Left Turn Lane Tapers

ALDOT requires a straight line taper for left turn lanes. For median left-turn lanes, a minimum median width of 18 ft (12 ft lane width, 2 ft offset, and a 4 ft median divider) is recommended to accommodate a single left-turn lane. The absolute minimum median width is 14 ft.

Where pedestrians may be present, the divider must be at least 5 ft. wide and preferably at least 6 ft. wide. Where a raised divider extends into the pedestrian cross-walk, a cut-through that is a minimum of 5 ft. x 5 ft. must be provided as shown in Figure 4.9.

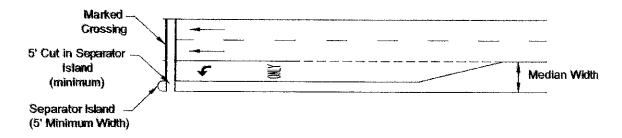


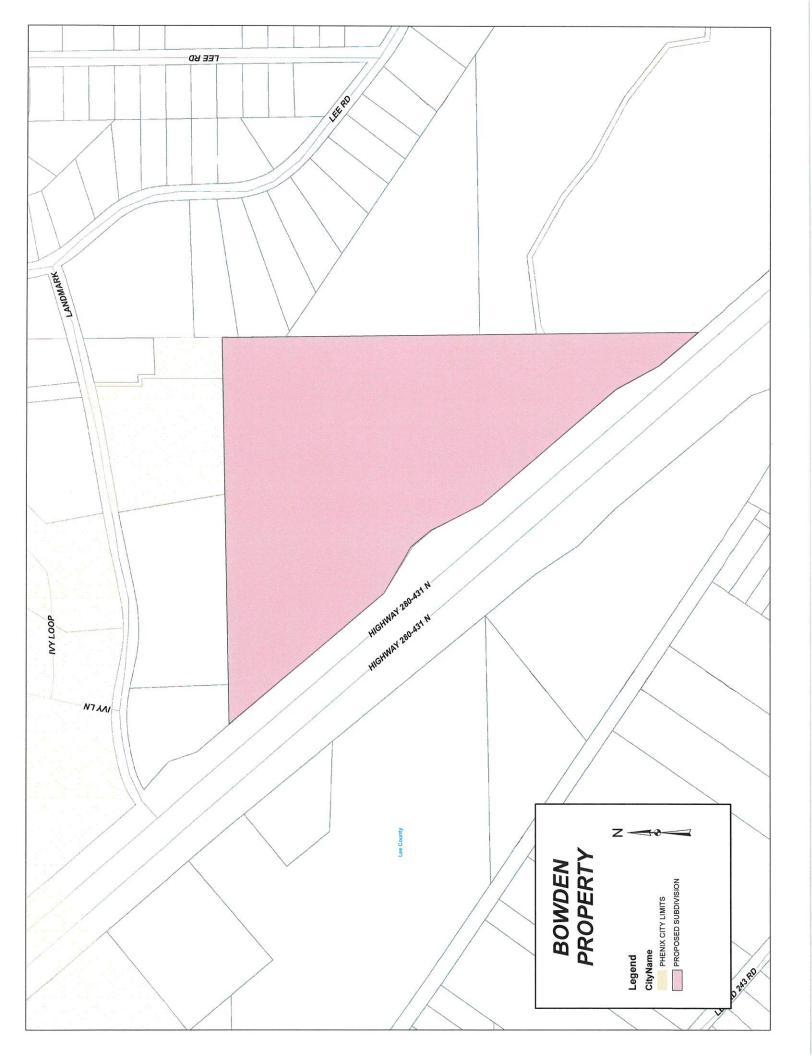
Figure 4.9 -- Geometric Design Elements of a Left Turn Lane With Marked Crossing (Not to Scale)

#### 4.5.2.3 Left Turn Storage

Turn lanes shall provide sufficient storage length to accommodate the number of vehicles likely to accumulate during specific intervals within periods of peak traffic.

All turn lane lengths are minimums. Vehicle storage requirements shall be verified and turn lanes shall be lengthened where required.

<sup>3.</sup> W = width of transition (feet).

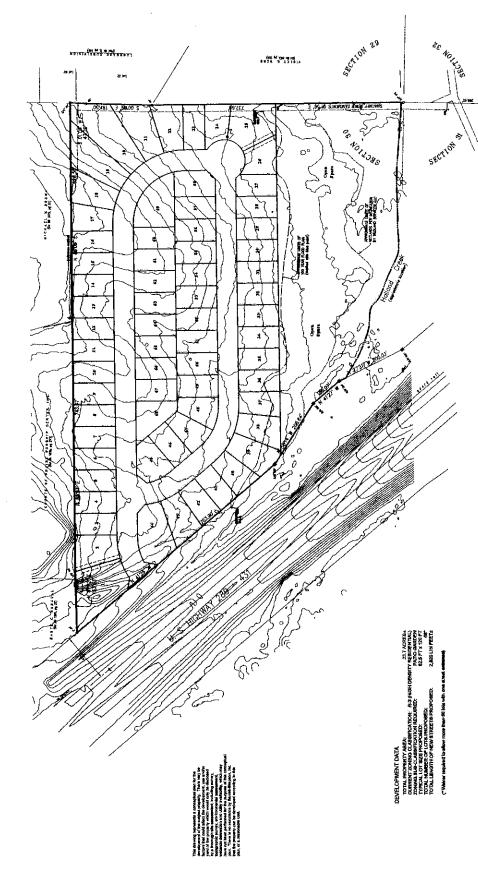




# MASTER DEVELOPMENT CONCEPT The Lands of

## BFL, LLC

"THE BUFORD TRACT" LOCATED IN SECTION 30, TOWNSHIP 18 NORTH, RANGE 34 EAST, PHENIX CITY, LEE COUNTY, ALABAMA January 26, 2017





SKARE.



601 12th Street | Phenix City, AL 36867

Ph: 334-448-2760

Fx: 334-291-4848

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. Mayor Pro Tem / 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/Public Works Department

Date: March 19, 2019

RE:

Waiver for Wynnbrook Subdivision

The submitted waiver for Wynnbrook Subdivision, which is a proposed 68 lot subdivision with one entrance/exit road, does not meet the requirements of Article IV, Section 2.A of the City of Phenix City Subdivision Regulations which states that subdivisions between 61 and 200 lots are required to construct two entrance/exit roads. Although information has been provided that ALDOT will not allow an additional entrance onto US Hwy 280, the developer could reduce the number of lots in the subdivision to 60 lots to meet the requirement. Also, the waiver form states that the request should be approved based on the fact that the subject property was purchased prior to the previously mentioned requirement being adopted into the Subdivision Regulations. It is my opinion that the developer should have considered that regulations are subject to change over time. The most current regulations govern at the time a property is developed, not at the time of purchase.

Cc: File







601 12th Street | Phenix City, AL 36867

Ph: 334-448-2760

Fx: 334-291-4848

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. Mayor Pro Tem / 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. 8

Type of Request:

**Preliminary Plat** 

Applicant:

Girard Partners, LLC.

**Engineering Firm:** 

Mass Engineering, Inc.

Site Location:

U.S. HWY 80 W next to Walmart Marketplace

Acreage:

14.0

Number of Lots:

3 (proposed)

**Current Zoning:** 

C-4

**Current Use of Property:** 

Vacant

Proposed Use of Property:

Commercial

**Survey Plat:** 

**Attached** 

City Services:

Phenix City utilities (water & sewer), Fire & Police Jurisdiction

Additional Information:

This is an amended preliminary plat from a previously approved plat.

**Engineer and or Owner Comment(s):** 

None







ENGINEERING / PUBL

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

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. Mayor Pro Tem / 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:

April 5, 2019

RE:

Amended Preliminary Plat for Ladonia Commercial Subdivision

The above referenced amended preliminary plat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Subdivision Regulations for approval.





