



**THE CITY OF PHENIX CITY  
PLANNING COMMISSION AGENDA  
TUESDAY, MAY 14, 2019  
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 April 23, 2019 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Approval of Final Plat of Fontaine Place – located on 6<sup>th</sup> Place South and Fontaine Road – City of Phenix City, owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 7) Acceptance of Rezone – 1.21+/- acres located at 623, 625, and 627 Seale Road from an R-1 (Low Density Residential District) to a C-3 (Neighborhood Commercial District) - Alecia & Andrew Young and AA&Y Future Investments, owners.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 8) Acceptance of Rezone – 6.1+/- acres located at 3000 4th Avenue, 2904 4th Avenue, and 29th Street From an R-1 (Low Density Residential District) to a R-1B (Low Density Residential District) – River Trace, LLC (Michael Bowden) and Joseph Barker, owners.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 9) Approval of Final Plat – Phenix City Marketplace – located on Highway 280E/431N – Halpern Enterprises, Inc., owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 10) Old Business
- 11) New Business
- 12) Adjournment

April 23, 2019

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, April 23, 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 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 Sims, Member Taylor and Member Culligan. Member McKissic was 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 Sims. 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 Sims, Member Taylor, and Member Culligan. Abstain: None. Nays: None. Motion thus passed.

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, Assistant Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Fire Chief Kris Kennedy, Fire Marshal Marc Wells, Building Official Gil Griffith, Utilities Engineer John Spraggins, Utilities Director/Asst. City Manager Stephen Smith, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the April 9, 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 Sims. 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 Sims. Nays: None. Abstain: Member Taylor and Member Culligan. 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 Approval of Administrative Replat of 1.35+/- acres located at 106 Cumberland Place for Mr. Stephen White, owner. City Engineer Angel Moore reviewed the staff report with the board members. Chairman Howard asked Secretary Culligan to read the department memo.

MEMO

*To: Planning Commission*

*From: Angel Moore, City Engineer/Public Works Director*

*Date: April 19, 2019*

*RE: Administrative Replat – 1.35+/- acres located at 106 Cumberland Place*

*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 for approval.*

At this time Chairman Howard asked if there was a motion. Member Sims 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 Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: None. Motion passed.

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

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

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 Sims. 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 Sims, 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, May 14, 2019.

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Chairman - Pat Howard

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Secretary – Shaun Culligan



**PHENIX CITY**

*Alabama*

DEPARTMENT OF  
**ENGINEERING / PUBLIC WORKS**

601 12th Street | Phenix City, AL 36867 | Ph: 334-448-2760 | Fx: 334-291-4848 | phenixcityal.us

**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. 6**

**Type of Request: Final Plat**

**Applicant:** City of Phenix City

**Engineering Firm:** City of Phenix City

**Site Location:** 6<sup>th</sup> Place South between 10<sup>th</sup> Ave. and Fontaine Rd.

**Acreage:** 3.10

**Number of Lots:** 13

**Current Zoning:** R1-B

**Current Use of Property:** Vacant

**Proposed Use of Property:** Residential

**Survey Plat:** Attached

**City Services:** Phenix City Water, Sewer, Streets & Drainage, Fire, Police

**Additional Information:** None

**Engineer and or Owner Comment(s):** None





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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:** May 9, 2019  
**RE:** Final Plat - Fontaine Place

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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 for approval.



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Director of Engineering / Director of Public Works

**Staff Report No. 7**

**Type of Request: Re-zone**

**Applicant:** AA&Y Future Investments, Andrew Young, Alecia Young

**Engineering Firm:** Becker Survey Company, Inc.

**Site Location:** 623, 625, 627 Seale Road

**Acreage:** 1.21

**Current Zoning:** R-1, Low Density Residential District

**Proposed Zoning Classification:** C-3, Neighborhood Commercial District

**Current Use of Property:** Vacant

**Proposed Use of Property:** Small business, retail and office spaces

**Survey Plat:** Attached

**City Services:** Phenix City Water, Sewer, Streets & Drainage, Fire, Police

**Additional Information:** None

**Engineer and or Owner Comment(s):** None

**NOTES:**  
 THE PROPERTY SHOWN HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 17083C0144A. THE FLOOD HAZARD ZONE IS SHOWN BY THE FLOOD HAZARD AREA (FHA) SYMBOLS AND A PORTION IS SHOWN TO BE IN A FLOOD HAZARD AREA.  
 EQUIPMENT USED: TRIMBLE 3800 SERIES TOTAL STATION / TOPCON HYPER OPS.  
 THE BASIS OF BEARINGS IS STATE PLANE COORDINATE SYSTEM, ALABAMA EAST ZONE (NAD83).

**REFERENCES:**  
 DEED BOOK 1307 PAGE 437  
 DEED BOOK 1307 PAGE 437  
 PLAT BOOK 7 PAGE 81 HOW GOVERNMENT V.1, FIELD 72

**ZONING:**  
 ZONING IS C-3 RESIDENTIAL COMMERCIAL.  
 TOTAL AREA TO BE RETAINED IS 1.21 AC.

**OWNER'S CERTIFICATE:**  
 I, THE UNDERSIGNED, HAVE BEEN HONESTLY AND ACCURATELY MEASURED AND SURVEYED THE ABOVE DESCRIBED PROPERTY AND HAVE FOUND THAT THE PLAT HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE ACTUAL SURFACE OF THE LAND AND THAT THE SAME IS IN ACCORDANCE WITH THE PROVISIONS OF THE ALABAMA SURVEYING ACT AND THE ALABAMA PROFESSIONAL SURVEYORS BOARD.

OWNER: *AY YONG*  
 DATE: *April 2, 2019*

OWNER: *AY YONG*  
 DATE: *April 2, 2019*

**NOTARY CERTIFICATE:**

STATE OF ALABAMA  
 COUNTY OF HENRIETTA

I, *CHENE L. HEBER*, a Notary Public in and for the State of Alabama, do hereby certify that the foregoing instrument was duly executed before me on this day of *April*, 2019, at *Prichard, Alabama*.

NOTARY PUBLIC: *CHENE L. HEBER*  
 COMMISSION EXPIRES: *11 May 2021*

**SURVEYOR'S CERTIFICATE:**

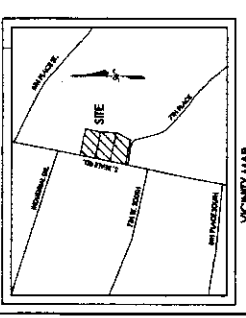
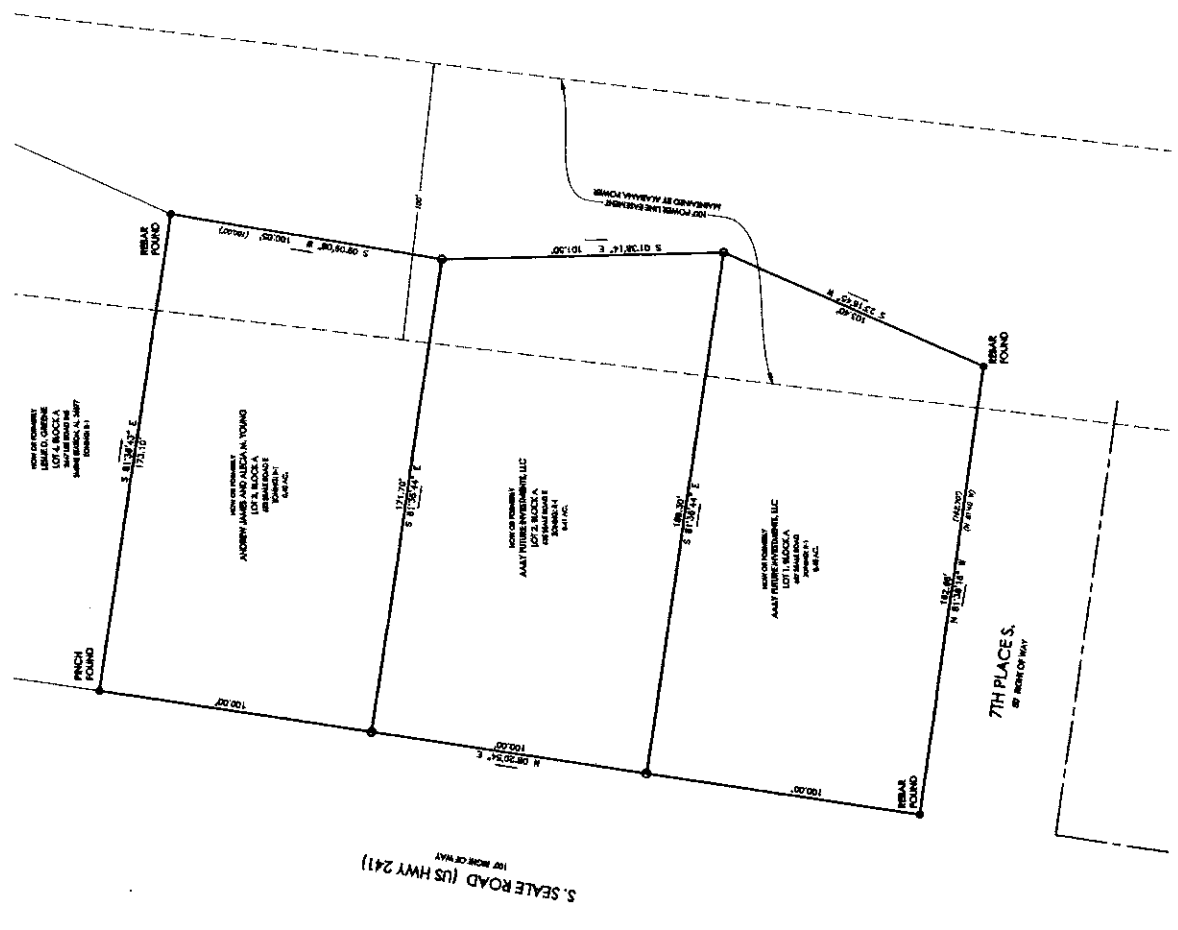
I, *CHENE L. HEBER*, a Notary Public in and for the State of Alabama, do hereby certify that the foregoing instrument was duly executed before me on this day of *April*, 2019, at *Prichard, Alabama*.

DATE: *4-28-19*

SYMBOL	LEGEND
○	PROPERTY CORNER
○	PROPERTY CORNER
○	PROPERTY CORNER



BOUNDARY SURVEY FOR BEZONING OF  
 LOTS 1, 2 & 3, BLOCK 'A', MEADOWVIEW SUBDIVISION  
 SECTION 27, TOWNSHIP 17 N, RANGE 90 E  
 RUSSELL COUNTY, ALABAMA  
 FOR  
 AARY FUTURE INVESTMENTS, LLC  
 PLAT 1" = 20' SHEET 2004, 2019





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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: February 21, 2019**

**RE: Rezone – 1.21+/- acres located at 623, 625, 627 Seale Road**

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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 C-3, Neighborhood Commercial District for Acceptance.



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

**Staff Report No. 8**

**Type of Request: Re-zone**

**Applicant:** River Trace LLC (Michael Bowden) and Joseph Barker

**Surveyor of Record:** Nathan McBride

**Site Location:** 3000 4<sup>th</sup> Avenue, 2904 4<sup>th</sup> Avenue, 29<sup>th</sup> Street

**Acreage:** 6.10

**Current Zoning:** R-1, Low Density Residential

**Proposed Zoning Classification:** R-1B, Low Density Residential

**Current Use of Property:** Residential/Vacant

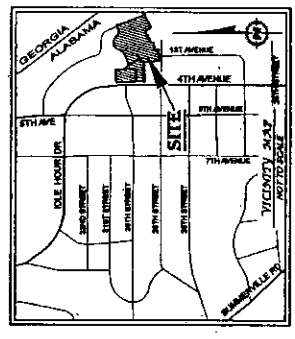
**Proposed Use of Property:** Development

**Survey Plat:** Attached

**City Services:** Phenix City Water, Sewer, Streets & Drainage, Fire, Police

**Additional Information:** The Comprehensive Plan states that mature neighborhood 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.

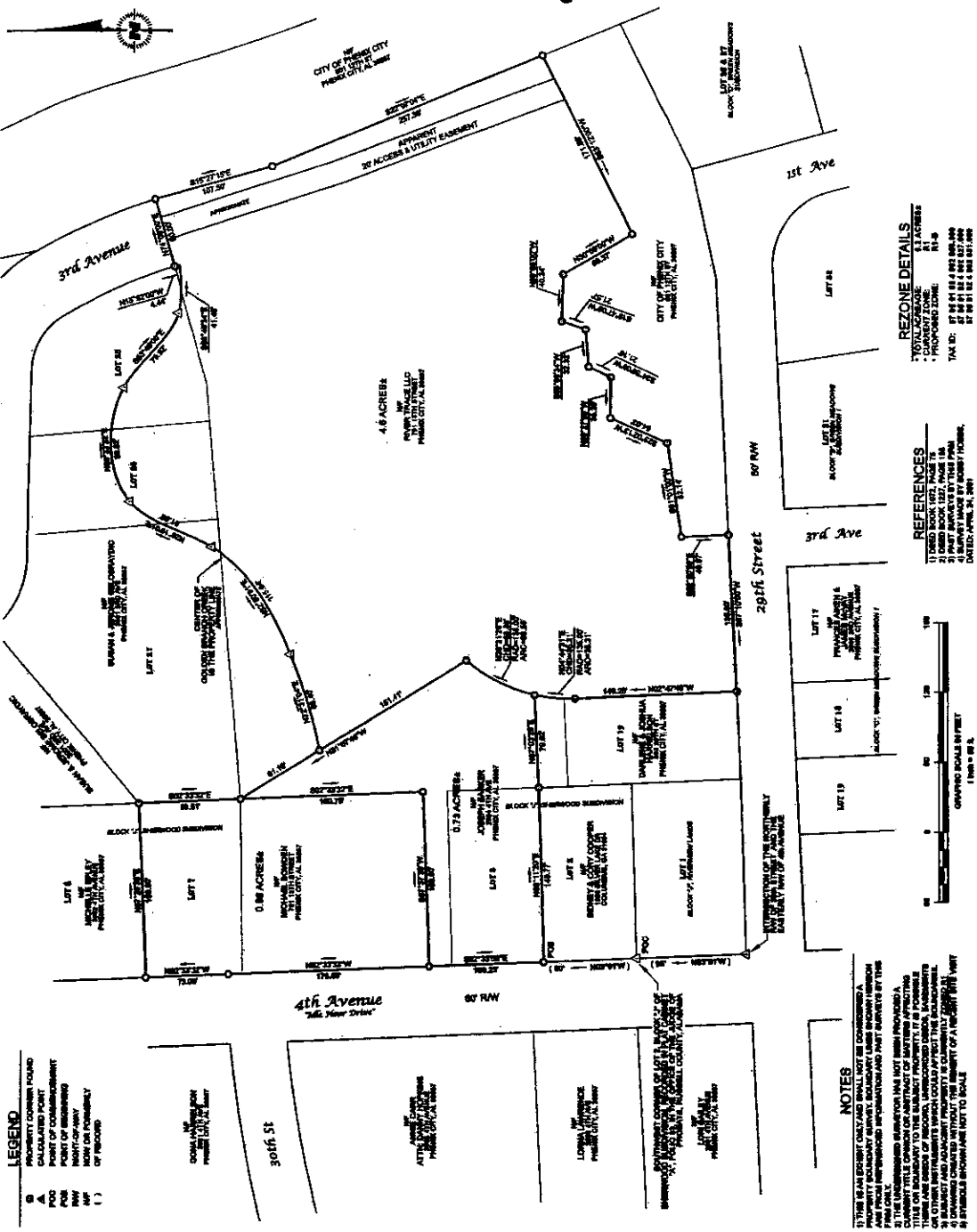
**Engineer and or Owner Comment(s):** None at this time



**OWNER CERTIFICATION**  
 I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALABAMA, HEREBY CERTIFY THAT THE UNDERSIGNED HAS BEEN DULY QUALIFIED AND IS A NOTARY PUBLIC IN AND FOR THE STATE OF ALABAMA AND IS A MEMBER OF THE NATIONAL ASSOCIATION OF NOTARY PUBLICS AND IS A MEMBER OF THE ALABAMA ASSOCIATION OF NOTARY PUBLICS.  
 DATE OF REGISTRATION: 4-29-19  
 DATE OF EXPIRATION: 4-29-19

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 DATE OF REGISTRATION: 4-30-19  
 DATE OF EXPIRATION: 4-30-19



**PROPERTY REZONE PLAT**  
 DATE: NOV. 7, 2018  
 SCALE: 1" = 80'  
 SHEET NO: 1 OF 1  
 LOTS 3, 4, 7 AND PART OF LOTS 28, 29, 32, BLOCK "F", SHERWOOD SUBDIVISION, AND PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 30 EAST, PHENIX CITY, RUSSELL COUNTY, ALABAMA

**REVISION DESCRIPTION**

REV	REVISION DESCRIPTION	DATE
1	CHANGED PROPOSED ZONE	4/29/2019

**REFERENCES**  
 1. ALABAMA ZONING CODE, CHAPTER 20-1-1  
 2. ALABAMA ZONING CODE, CHAPTER 20-1-2  
 3. ALABAMA ZONING CODE, CHAPTER 20-1-3  
 4. ALABAMA ZONING CODE, CHAPTER 20-1-4  
 5. ALABAMA ZONING CODE, CHAPTER 20-1-5  
 6. ALABAMA ZONING CODE, CHAPTER 20-1-6  
 7. ALABAMA ZONING CODE, CHAPTER 20-1-7  
 8. ALABAMA ZONING CODE, CHAPTER 20-1-8  
 9. ALABAMA ZONING CODE, CHAPTER 20-1-9  
 10. ALABAMA ZONING CODE, CHAPTER 20-1-10  
 11. ALABAMA ZONING CODE, CHAPTER 20-1-11  
 12. ALABAMA ZONING CODE, CHAPTER 20-1-12  
 13. ALABAMA ZONING CODE, CHAPTER 20-1-13  
 14. ALABAMA ZONING CODE, CHAPTER 20-1-14  
 15. ALABAMA ZONING CODE, CHAPTER 20-1-15  
 16. ALABAMA ZONING CODE, CHAPTER 20-1-16  
 17. ALABAMA ZONING CODE, CHAPTER 20-1-17  
 18. ALABAMA ZONING CODE, CHAPTER 20-1-18  
 19. ALABAMA ZONING CODE, CHAPTER 20-1-19  
 20. ALABAMA ZONING CODE, CHAPTER 20-1-20



**NOTES**  
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 DATE OF REGISTRATION: 4-30-19  
 DATE OF EXPIRATION: 4-30-19

**LEGEND**

▲	PROPERTY CORNER FOUND
○	CALCULATED POINT
□	POINT OF COMMENCEMENT
△	POINT OF INTERSECTION
▽	POINT OF TERMINATION
◇	POINT OF BEGINNING
◇	POINT OF ENDING
◇	POINT OF INTERSECTION
◇	POINT OF TERMINATION
◇	POINT OF BEGINNING
◇	POINT OF ENDING

**REZONE DETAILS**  
 1. ZONING: R-1  
 2. DISTRICT: R-1  
 3. SUBDISTRICT: R-1  
 4. ZONING: R-1  
 5. DISTRICT: R-1  
 6. SUBDISTRICT: R-1

**REFERENCES**  
 1. ALABAMA ZONING CODE, CHAPTER 20-1-1  
 2. ALABAMA ZONING CODE, CHAPTER 20-1-2  
 3. ALABAMA ZONING CODE, CHAPTER 20-1-3  
 4. ALABAMA ZONING CODE, CHAPTER 20-1-4  
 5. ALABAMA ZONING CODE, CHAPTER 20-1-5  
 6. ALABAMA ZONING CODE, CHAPTER 20-1-6  
 7. ALABAMA ZONING CODE, CHAPTER 20-1-7  
 8. ALABAMA ZONING CODE, CHAPTER 20-1-8  
 9. ALABAMA ZONING CODE, CHAPTER 20-1-9  
 10. ALABAMA ZONING CODE, CHAPTER 20-1-10  
 11. ALABAMA ZONING CODE, CHAPTER 20-1-11  
 12. ALABAMA ZONING CODE, CHAPTER 20-1-12  
 13. ALABAMA ZONING CODE, CHAPTER 20-1-13  
 14. ALABAMA ZONING CODE, CHAPTER 20-1-14  
 15. ALABAMA ZONING CODE, CHAPTER 20-1-15  
 16. ALABAMA ZONING CODE, CHAPTER 20-1-16  
 17. ALABAMA ZONING CODE, CHAPTER 20-1-17  
 18. ALABAMA ZONING CODE, CHAPTER 20-1-18  
 19. ALABAMA ZONING CODE, CHAPTER 20-1-19  
 20. ALABAMA ZONING CODE, CHAPTER 20-1-20

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 DATE OF REGISTRATION: 4-30-19  
 DATE OF EXPIRATION: 4-30-19

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# MEMORANDUM

**To: Planning Commission**

**From: Angel Moore, City Engineer**

**Date: February 21, 2019**

**RE: Rezone – 6.1 +/- Acres at 3000 4<sup>th</sup> Avenue, 2904 4<sup>th</sup> Avenue and 29<sup>th</sup> 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-1B, Low Density Residential District for Acceptance.



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Director of Engineering / Director of Public Works

### Staff Report No. 9

#### Type of Request: Final Plat

**Applicant:** Halpern Enterprises, Inc.

**Engineering Firm:** Forsite Engineering

**Surveyor of Record:** John Blount, PLS, Terra Mark Professional Land Surveying

**Site Location:** U.S. HWY 280 (Between McDonlad's & Goodwill)

**Acreage:** 18.64

**Number of Lots:** 6

**Current Zoning:** C-4

**Current Use of Property:** Vacant

**Proposed Use of Property:** Commercial

**Survey Plat:** Attached

**City Services:** Phenix City Water, Sewer, Streets & Drainage, Fire, Police

**Additional Information:** None

**Engineer and or Owner Comment(s):** None











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Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission

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

Date: May 10, 2019

RE: Final Plat – Phenix City Marketplace

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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 for approval.