



**THE CITY OF PHENIX CITY  
PLANNING COMMISSION AGENDA  
TUESDAY, MARCH 23, 2021  
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 March 9, 2021 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Public Hearing & Approval of Rezone – 0.48+/- acres located at 814 16<sup>th</sup> Avenue – from an R-3 Zone (High Density Residential District) to a C-4 Zone (Highway Commercial District) – Marcus Mitchell, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 7) Waiver Request – 3.01+/- acres located at 3501 Summerville Road – Norman W. Davis, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 8) Approval of Administrative Replat – 3.01+/- acres located at 3501 Summerville Road – Norman W. Davis, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 9) Statutory Review – 513 Fontaine Road – The Hometeam Initiative (Chloe Benyoum), applicant.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 10) Old Business
- 11) New Business
- 12) Adjournment

**March 9, 2021**

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, March 9, 2021 at 5:15 PM EST in the Martin-Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama or via Zoom or by teleconference.

Chairman Howard called the meeting to order and asked Secretary Phillips to call roll. Upon roll call, the following members answered present: Chairman Howard, Member Ivy, Member Sims and Member Phillips. The followings members answered present by way of phone. Member Lindsey. The following members answered present by way of live stream via City Website or by the platform Zoom was Member Taylor. Vice Chairman Davis, Member Johnson, and Member McKissic were not present.

The second item on the agenda was the Approval of the Agenda. 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: Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. Abstain: None. Nays: None. Motion thus passed.

Chairman Howard asked Secretary Phillips to call roll for the City Employees. The following City Personnel were present in person: City Engineer Angel Moore, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Andrew Patterson, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis. City Employees present by way of live stream via City Website were Building Official Gil Griffith, and Fire Chief Kris Kennedy.

The fourth item on the agenda was the approval of the February 23, 2021 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 Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. Abstain: None. 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 Acceptance of Rezone for 0.48+/- acres located at 814 16<sup>th</sup> Avenue from an R-3 Zone (High Density Residential District) to a C-4 Zone (Highway Commercial District) for owner Marcus Mitchell. City Engineer Angel Moore reviewed the staff report with the members. Chairman Howard asked Secretary Phillips to read the department memo.

Memo

*To: Planning Commission*

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

*Date: March 5, 2021*

*RE: Rezone - .48+/- acres located at 814 16<sup>th</sup> Avenue*

*The above referenced Rezone has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for acceptance.*

At this time Chairman Howard asked for a motion to accept or deny. A motion to accept was made by Member Sims seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. Abstain: None. Motion thus 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: Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. 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, March 23, 2021.

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Chairman – Pat Howard

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Secretary – Eliza Phillips



# 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**  
Mayor Pro Tem / At Large

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

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**ARTHUR L. DAY, JR.**  
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MELONY LEE, City Clerk

ANGEL MOORE, P.E., City Engineer

Director of Engineering / Director of Public Works

## Staff Report No. 6

### Type of Request: Rezone

**Applicant:** Marcus Mitchel

**Surveyor of Record:** McBride-McGill, Inc.

**Site Location:** 814 16<sup>th</sup> Avenue

**Acreage:** 0.48 +/- acres

**Current Zoning:** R-3, High Density Residential District

**Proposed Zoning Classification:** C-4, Highway Commercial District

**Current Use of Property:** Commercial

**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:** March 18, 2021

**RE:** Rezone – .48 +/- acres located at 814 16<sup>th</sup> Avenue

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The above referenced Rezone has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for approval.



REQUEST FOR WAIVER

NAME OF DEVELOPER(S): THE BROADWAY GROUP

NAME OF ENGINEERING FIRM: THE BROADWAY GROUP

EMAIL ADDRESS OF OWNER: MEDICAL PHARMACY @ BellSouth.net

NAME OF SUBDIVISION: \_\_\_\_\_

LOCATION OF SUBDIVISION: \_\_\_\_\_

STATE IN FULL WHY A WAIVER IS BEING REQUESTED:

AFTER PURCHASE of A PORTION (LOT 1) of PROPERTY,  
A SECOND PORTION (LOT 2) WILL BE LANDLOCKED  
TEMPORARILY UNTIL RESOLD TO AN ADJACENT  
PROPERTY OWNER. REZONING of LOT 2 FROM C2  
TO R1 IS BEING REQUESTED

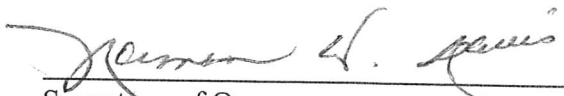
STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON:

A CERTAIN PORTION (LOT 1) IS THE ONLY PROPERTY  
THAT THE BROADWAY GROUP HAS INTEREST IN. AN  
EXISTING RESIDENTIAL PROPERTY OWNER HAS INTEREST IN LOT 2

LIST ANY ATTACHMENTS TO THIS PETITION:

PROVIDE A SHORT EXPLANATION WHY YOU BELIEVE THE WAIVER SHOULD BE APPROVED:

TO TRANSFER OWNERSHIP OF PROPERTIES IN A  
TIMELY MANNER

  
Signature of Owner

3/8/2021  
Date

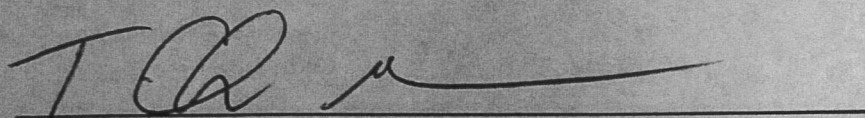


March 17, 2021

To whom it may concern,

This note is to confirm an agreement between myself, Thomas Christopher Grimsley and Norman Davis with intent to purchase the land owned by Norman Davis on Summerville Road, Phenix City, Alabama known as lot 2 back portion

For the total amount of ten thousand dollars.



A handwritten signature in cursive script, appearing to read 'T. Grimsley', is written over a horizontal line.



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## MEMORANDUM

**To:** Planning Commission

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

**Date:** March 18, 2021

**RE:** Waiver Request – 3.00 +/- acres located at 3501 Summerville Road

The submitted Waiver request for the proposed subdivision does not meet the requirements of Article VI, Section 5B of the Subdivision Regulations which states that all lots should abut a dedicated public street with a minimum frontage of twenty five (25) feet.



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Director of Engineering / Director of Public Works

**Staff Report No.        8**

**Type of Request: Administrative Replat**

**Applicant:** Norman Davis

**Surveying Firm:** Schoel Engineering Company, Inc.

**Site Location:** 3501 Summerville Road

**Acreage:** 3.00 +/-

**Number of Lots:** 2

**Current Zoning:** C-3 Neighborhood Commercial District

**Current Use of Property:** Vacant

**Proposed Use of Property:** Commercial/Residential

**Survey Plat:** Attached

**City Services:** Phenix City Utilities, Streets & Drainage, Police and Fire

**Additional Information:** None

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

**GENERAL NOTES**

1. RIGHT-OF-WAY AND CORNER MARKERS IN THE FIELD ARE BASED ON ALABAMA STATE
2. ALL DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.
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11. DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.
12. DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.

**CERTIFICATE OF REGISTERED LAND SURVEYOR**

I HEREBY CERTIFY THAT ALL PARTS OF THE SURVEY AND DRAWING HAVE BEEN PREPARED IN ACCORDANCE WITH THE COMMISSION REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF ALABAMA AND THE SURVEYOR'S OATH AND THE SURVEYOR'S LICENSE NO. 123456789. I AM A LICENSED SURVEYOR IN THE STATE OF ALABAMA.

DATE: 03/17/2021

**CERTIFICATE OF OWNERSHIP AND DETACHMENT**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HAVE ADDED THE PROPERTY WITH THESE CERTAIN EXCLUSIONS, THE PARTS, AND OTHERS TO BE SHOWN TO THE PUBLIC. I HAVE MADE THIS STATEMENT UNDER OATH AND I AM AWARE OF THE PENALTIES FOR PERJURY.

ACKNOWLEDGMENT (OWNER)

DATE: \_\_\_\_\_

**CERTIFICATE OF PLANNING COMMISSION**

I HEREBY CERTIFY THAT THE SUBMITTED PLANNING COMMISSION HAS BEEN HELD IN CONFORMANCE WITH THE SUBMISSION REGULATIONS OF THE CITY OF PHENIX CITY, ALABAMA, WITH THE EXCEPTED EXCLUSIONS AND OTHERS TO BE SHOWN TO THE PUBLIC. I AM A MEMBER OF THE PLANNING COMMISSION OF PHENIX CITY, ALABAMA.

DATE: \_\_\_\_\_

**CERTIFICATE OF COUNTY ENGINEER**

I HEREBY CERTIFY THAT THE SURVEY AND DRAWING HAVE BEEN PREPARED IN ACCORDANCE WITH THE COMMISSION REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF ALABAMA AND THE SURVEYOR'S OATH AND THE SURVEYOR'S LICENSE NO. 123456789. I AM A LICENSED SURVEYOR IN THE STATE OF ALABAMA.

DATE: \_\_\_\_\_

**FLOOD STATEMENT**

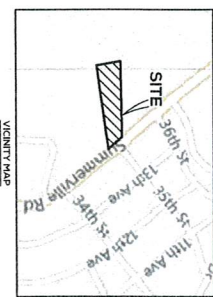
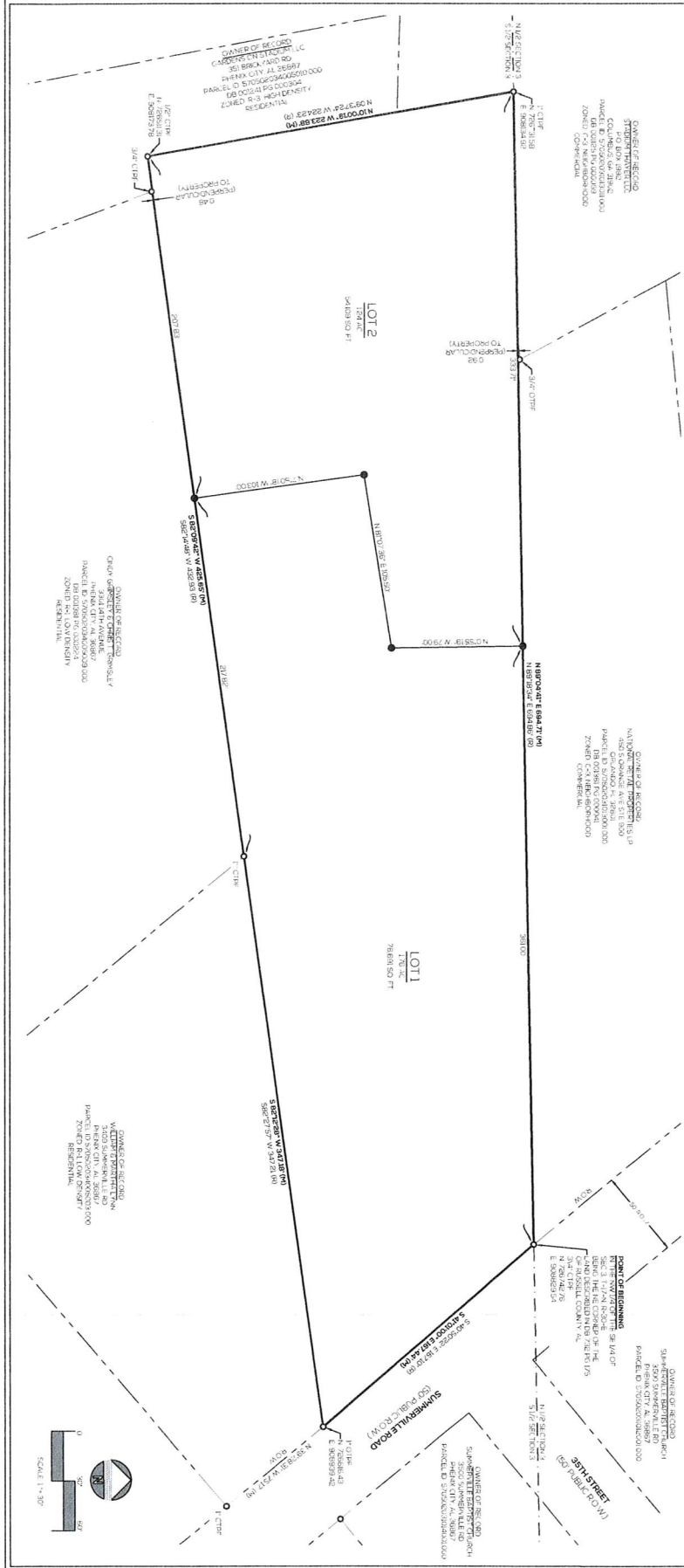
THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (SPECIAL FLOOD HAZARD) OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP). THE PROPERTY IS NOT ELIGIBLE FOR FLOOD INSURANCE UNDER THE NFIP. THE PROPERTY IS NOT ELIGIBLE FOR FLOOD INSURANCE UNDER THE NFIP.

**STATEMENT OF POTENTIAL ENCROACHMENTS**

A. NO ENCROACHMENTS FOUND AT TIME OF SURVEY.

**OVERALL PROPERTY DESCRIPTION (AS SURVEYED)**

STATE OF ALABAMA  
 COUNTY OF RUSSELL  
 TOWNSHIP 17 NORTH, RANGE 30 EAST  
 SECTION 3



<p><b>BROADWAY - SUMMERVILLE ROAD PHENIX CITY</b></p> <p>PHENIX CITY, RUSSELL COUNTY, ALABAMA</p> <p>SECTION 3, TOWNSHIP 17 NORTH, RANGE 30 EAST</p>			<p>City Engineering   Land Surveying   Landscape Architecture                  Environmental   Water Resources   Laser Scanning   Modeling</p> <p><b>SCHOEL</b></p> <p>701.226.5744   7502 Memorial Pkwy. SW, Ste 504                  Birmingham, Alabama 35205   Huntsville, Alabama 35867                  205.323.4144   256.539.7221</p>
<p>DATE: 03/16/21</p> <p>DRAWN BY: J. MOOREHEAD</p> <p>CHECKED BY: J. MOOREHEAD</p> <p>FIELD CREW: B. WILLIAMS</p> <p>PROJECT NO.: 1909140</p>	<p>ADMINISTRATIVE PLAT</p> <p>1 OF 1</p>		



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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:** March 18, 2021

**RE:** Administrative Re-plat – 3.00 +/- acres located at 3501 Summerville Road

The above referenced Administrative Re-plat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and does not meet the minimum requirements of Subdivision Regulations for public street frontage, however a Waiver Request has been submitted for relief from this requirement.



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**Staff Report No. 9**

## Type of Request: Statutory Review

**Applicant:** The Hometeam Initiative – Chloe Benyoun

**Surveying Firm:** Not Applicable

**Site Location:** 513 Fontaine Road

**Acreage:** Not Applicable

**Number of Lots:** 1

**Current Zoning:** C-3

**Current Use of Property:** Commercial

**Proposed Use of Property:** Community Center

**Survey Plat:** Not Applicable

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

**Additional Information:** See application for Statutory Review

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

**Petition for Statutory Review**

Signature of Property Owner / or Authorized Agent of the Property Owner

Owner: *Euron Wright* *Authorized Agent of Property Owner*  
(Euron Wright)

Address of Property to Be Considered For Statutory Review Use:

513 Fontaine Rd. Phenix City, AL 36869

Signature of Person Requesting Statutory Review Use:

*Chloe Benyoum* *Chloe Benyoum*

Name and Address of Company Requesting Statutory Review Use:

The Hometeam Initiative, Inc.

3100 Gentian Blvd Ste 114

Columbus, GA

Contact Phone Number: (706) 662-5528

Current Zone of Property: C-3

Proposed Use of Property: Hometeam Lift Center (Community Center) - Provide a meal distribution site for children and technology gateway with internet access.

**The use is subject to statutory review by the Planning Commission and City Council in accordance with Section 11-52-11 of the Code of Alabama, 1975, as amended (See attachment).**

**CONTACT THE BUILDING DEPARTMENT 448-2740**



**DR. R. GRIFF GORDY**  
Mayor Pro Tem / At Large

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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:** March 18, 2021

**RE:** Statutory Review Request – Community Center located at 513 Fontaine Road

The submitted Statutory Review request for the proposed Community Center at 513 Fontaine Road has been review by the Engineering, Fire Building and Utilities Departments and the following comments have be sent to the applicant.

### Utilities –

- 1) If any dishes will be washed at this location, under-sink grease containment will be required.

### Fire –

- 1) An inspection by the Phenix City Fire Department will be required. In addition, all fire extinguishers will need to be checked and up to date.
- 2) If an on-site dining area is provided in the future, a re-inspection, occupant load and additional fire protection may be required.