



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, APRIL 23, 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 9, 2019 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Approval of Administrative Replat – 1.35+/- acres located at 106 Cumberland Place – Stephen White, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Old Business
- 8) New Business
- 9) Adjournment

April 9, 2019

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, April 9, 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 Administrative Assistant Kaleigh Wells to call roll. Upon roll call, the following members answered present: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member McKissic and Member Sims. Member Taylor and Member Culligan were not present.

The second item on the agenda was the "Oath of Office" for new member Sierra McKissic. Chairman Howard asked Ms. McKissic to read her "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."

The third 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 McKissic and Member Sims. Abstain: None. Nays: None. Motion thus passed.

Chairman Howard asked Ms. Wells 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 Jim McKoon, and Administrative Assistant Kaleigh Wells.

The fifth item on the agenda was the approval of the March 26, 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 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, and Member Lindsey, Nays: None. Abstain: Member McKissic and Member Sims. Motion thus passed.

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

The seventh item on the agenda was the Request for Waiver for 23.70+/- acres located on US Hwy 280 East for BFI, Inc., (Michael Bowden), owner. City Engineer Angel Moore reviewed the staff report with the board members. Mr. Brent Osborne, representative for BFI, Inc., Michael Bowden came forward. Mr. Osborne gave a brief history of the property. Mr. Bowden purchased the land in 1995 when the subdivision regulations did not require an additional entrance for a development with more than 60 lots. The current subdivision regulation does require an additional entrance for developments over 60 lots and this causes an economic hardship on the developer since the DOT is not in favor of two entrances on Highway 280 East. Discussion followed with comments/concerns of a possible easement to development off of Landmark; traffic coming down Highway 280 East at high speed is a safety issue; the State is not in favor of 2 entrances and can we work with the local developers; purchase date of property

does not matter when wanting to develop. Chairman Howard asked Ms. Wells to read the department memo.

MEMO

To: Planning Commission

From: Angel Moore, City Engineer

Date: March 22, 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.

At this time Chairman Howard asked if there was a motion. Vice Chairman Davis made a motion to approve, seconded by Member Bailey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Nays: Chairman Howard, Member Ivy, Member Lindsey, Member McKissic and Member Sims. Abstain: None. Motion thus failed.

The eighth item on the agenda was the Approval of Amended Preliminary Plat for Ladonia Commercial located off Highway 80 for Girard Partners, LP., owner. City Engineer Angel Moore reviewed the staff report with the board members. Vice Chairman Davis asked if the lawsuit had been settled. City Attorney Jim McKoon stated that for the time being yes, but the County has appealed the decision. Chairman Howard asked Ms. Wells to read the department memo.

MEMO

To: Planning Commission

From: Angel Moore, City Engineer

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.

Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Member Bailey, seconded 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 McKissic, and Member Sims. Nays: None. Abstain: Member Sims. Motion thus passed.

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

The tenth 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 eleventh 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 McKissic, and Member Sims. 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 23, 2019.

Chairman - Pat Howard

Vice Chairman – Jimmy Davis



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: Administrative Replat

Applicant: Stephen E. White

Engineering Firm: Barrett-Simpson, Inc.

Site Location: 106 Cumberland Place

Acreage: 1.35

Number of Lots: 3

Current Zoning: None

Current Use of Property: Residential

Proposed Use of Property: Residential

Survey Plat: Attached

City Services: Phenix City Water

Additional Information: None

Engineer and or Owner Comment(s): None

SITE DATA

TOTAL NUMBER OF PARCELS PLATTED: 3
 TOTAL ACRES OF PROPERTY PLATTED: 1.35 Acre
 PARCEL 1A: 16,928 sqft (0.39 AC)
 PARCEL 2A: 17,944 sqft (0.41 AC)
 PARCEL 3A: 23,971 sqft (0.55 AC)

CURRENT ZONING: NONE
 THE SUBJECT PROPERTY IS OUTSIDE THE CITY LIMITS OF PHENIX CITY AND IS NOT ZONED.
 THE SUBJECT PROPERTY IS INSIDE THE PHENIX CITY PLANNING JURISDICTION.

***CITY REQUIRED NOTES**
 A. STRUCTURES ARE PROHIBITED ON EASEMENTS.
 B. ACCESS SHALL NOT BE RESTRICTED BY UNGRADED FENCES.
 C. NO TREES OR SHRUBS PLANTED WITHIN RIGHT-OF-WAY OR EASEMENTS UNLESS APPROVED OTHERWISE BY THE LOCAL GOVERNING AUTHORITY.

***COUNTY REQUIRED NOTES**
 1. ALL DRIVEWAYS JOINING COUNTY R.O.W. SHALL BE PERMITTED BY THE ENGINEERING DEPARTMENT.
 2. THE RUSSELL COUNTY COMMISSION IS NOT RESPONSIBLE FOR ANY MAINTENANCE OF EASEMENTS ON THIS PLAT.
 3. ALL EASEMENTS ARE PRIVATELY MAINTAINED.
 4. PER RUSSELL COUNTY, ALABAMA SUBDIVISION REGULATIONS: "WHERE NO ZONING IS IN EFFECT, THE MINIMUM SETBACK FOR LOTS WITHOUT SEWER SHALL BE 40' FROM THE ROAD RIGHT-OF-WAY UPON WHICH LOT FRONTS, 10 FEET FROM SIDE LOT LINES AND 20 FEET FROM REAR LOT LINES."

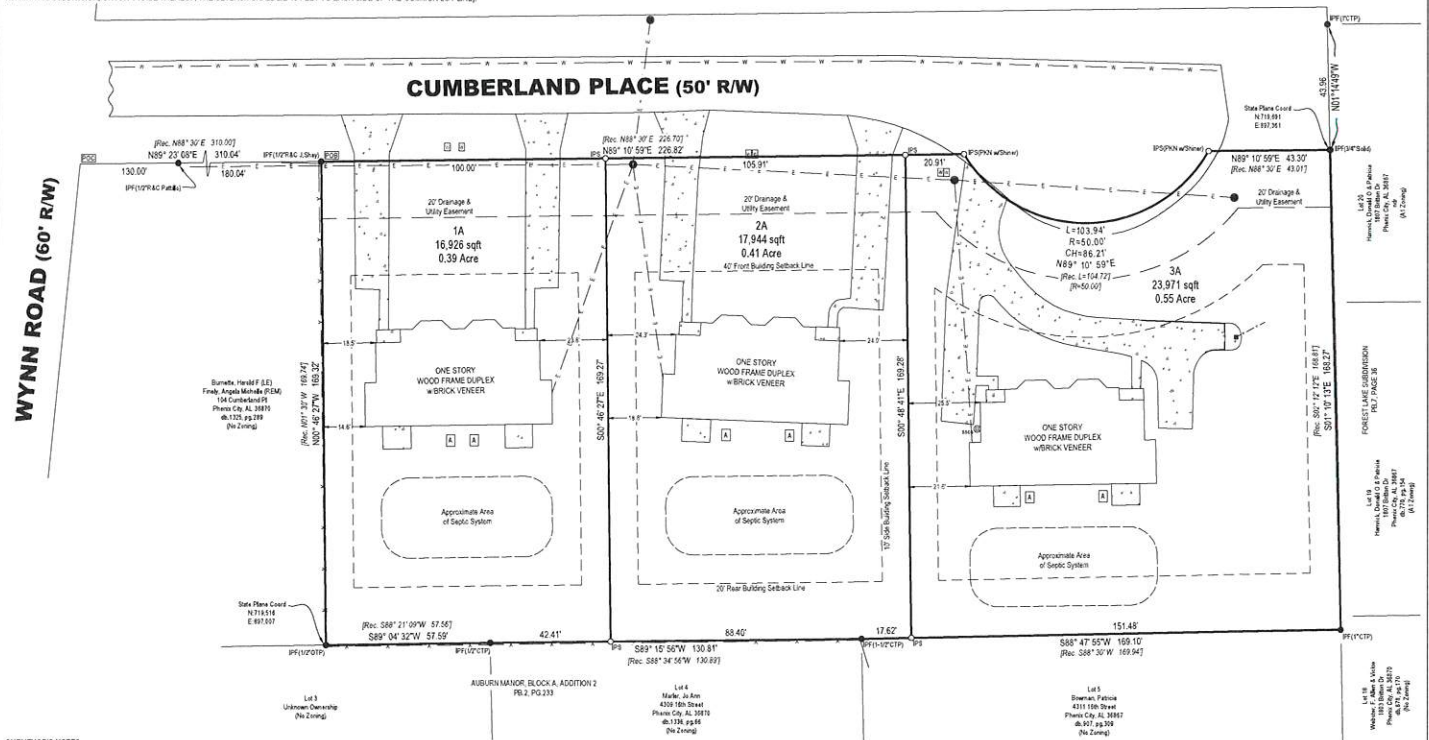
UNLESS OTHERWISE SHOWN HEREON, RESERVED OR GRANTED AN EASEMENT 20 FEET IN WIDTH FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF DRAINAGE PIPES, SWALES, DITCHES, WATER LINES, SANITARY LINES, ETC. AND APPURTENANCES THERETO IS HEREBY RESERVED ALONG EACH FRONT, REAR AND SIDE LOT LINE, IN CASE OF COMMON LOT LINES WITHIN THIS SUBDIVISION, OR ANY PHASE THEREOF; THE SETBACK SHALL BE 10 FEET TO EACH SIDE OF THE COMMON LOT LINE.

PLAT OF SURVEY & PROPERTY DIVISION FOR
STEPHEN E. WHITE
 LOCATED IN SECTION 8, TOWNSHIP 17 NORTH, RANGE 30 EAST
 RUSSELL COUNTY, ALABAMA



SURVEY NORTH IS BASED ON ALABAMA EAST STATE PLANE COORDINATES BY GPS OBSERVATION NAD83

THIS AREA RESERVED FOR RECORDING INFORMATION ONLY



- SURVEYOR'S NOTES**
- THE PURPOSE OF THIS PLAT IS TO CREATE A DIVISION OF THE SUBJECT PROPERTY, AS SHOWN HEREON.
 - THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF AN ATTORNEY'S TITLE OPINION OR TITLE COMMITMENT. THE SURVEYOR'S SEARCH OF PUBLIC RECORDS WAS LIMITED TO THOSE MATTERS AFFECTING THE BOUNDARIES OF THE SUBJECT PROPERTY ONLY. THERE MAY BE MATTERS OF RECORD, SUCH AS CONVEYANCES, EASEMENTS, RIGHTS OF WAY, ETC., THAT AFFECT THE TITLE TO THE SUBJECT PROPERTY WHICH ARE NOT KNOWN TO THE SURVEYOR AND NOT DISCLOSED BY THIS SURVEY.
 - BASIS FOR SURVEY (PLATS/DEEDS OF REFERENCE)**
 (A) DEED BOOK 969, PAGE 210-212, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF RUSSELL COUNTY, ALABAMA.
 (B) STREET ADDRESS OF PROPERTY: 106 CUMBERLAND PLACE, PHENIX CITY, AL 36870
 - CURRENT TAX PARCEL ID # 57 05 03 08 3 005 001.000, PER THE RUSSELL COUNTY GIS MAPS.
 - FLOOD NOTE**
 ACCORDING TO THE FLOOD INSURANCE RATE MAPS (FIRM) OF RUSSELL COUNTY, ALABAMA, MAP NUMBER 01113010150, EFFECTIVE DATE 10/06/2014, THE PROPERTY SHOWN HEREON IS IN THE FOLLOWING ZONES:
 ZONE "X" (NO SHADING) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
 - IMPROVEMENTS SHOWN WERE LOCATED WITHIN THE SCOPE OF THIS SURVEY.
 - UNLESS OTHERWISE NOTED, NO ENCROACHMENTS WERE OBSERVED WITHIN THE SCOPE OF THIS SURVEY.
 - THERE WAS NO ATTEMPT IN THE FIELD TO DETERMINE THE LOCATION OF OR THE EXTENT OF POSSIBLE ENCROACHMENTS BENEATH THE SURFACE.
 - UTILITIES SHOWN HEREON ARE BASED UPON APPARENT ABOVE GROUND APPURTENANCES AND UTILITY DEPARTMENT RECORD ONLY. ANY UNDERGROUND UTILITIES SHOWN HEREON HAVE NOT BEEN VERIFIED AND SHOULD BE CONSIDERED APPROXIMATE. CONTRACTOR MUST VERIFY UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
 - THE SUBJECT PROPERTY IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. BARRETT-SIMPSON, INC. DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 - THIS DRAWING MAY NOT BE ALTERED OR ADDED TO WITHOUT PERMISSION FROM BARRETT-SIMPSON, INC. THIS DRAWING BECOMES VOID IF ANY ALTERATIONS OR CHANGES ARE MADE BY OTHERS.
 - THIS PLAT IS NOT TO BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT BEARS THE PROPER SEAL AND SIGNATURE OF A REGISTERED PROFESSIONAL, OF BARRETT-SIMPSON, INC.

***CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HEREBY ADOPT THIS DIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING SETBACK LINES AND DEDICATE ALL STREETS, RIGHT-OF-WAYS, WALKS, EASEMENTS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

STEPHEN E. WHITE _____ DATE _____

***NOTARY ACKNOWLEDGEMENT**

STATE OF _____
 COUNTY OF _____

I, _____, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HEREBY CERTIFY THAT **STEPHEN E. WHITE** ACKNOWLEDGED BEFORE ME ON THIS DAY THAT BEING INFORMED OF THE CONTENTS OF THIS CERTIFICATE AND DEDICATION, HAS EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.
 GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2019.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

***RUSSELL COUNTY HEALTH DEPARTMENT CERTIFICATE**

*THE LOTS) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE RUSSELL COUNTY LHD. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS), THE APPROPRIATENESS OF A LOT FOR SEWAGE TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS, AND THESE ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HEREON.

RUSSELL COUNTY HEALTH DEPT. AUTHORIZED SIGNATURE _____ DATE _____

***CERTIFICATE OF CITY ENGINEER AND UTILITIES DEPARTMENT**

I (WE) HEREBY CERTIFY THAT THIS PLAT MEETS ALL THE REQUIREMENTS FOR STREET AND UTILITY IMPROVEMENTS.

CITY ENGINEER _____ DATE _____

UTILITIES DIRECTOR _____ DATE _____

***CERTIFICATE OF PLANNING COMMISSION**

I HEREBY CERTIFY THAT THE SUBMISSION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR THE CITY OF PHENIX CITY, ALABAMA WITH THE EXCEPTION OF VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE JUDGE OF PROBATE OF RUSSELL COUNTY, ALABAMA.

CHAIRMAN, PHENIX CITY PLANNING COMMISSION _____ DATE _____

SECRETARY, PHENIX CITY PLANNING COMMISSION _____ DATE _____

***CERTIFICATE OF COUNTY ENGINEER**

THIS PLAT HAS BEEN APPROVED BY THE RUSSELL COUNTY ENGINEER FOR RECORDING IN THE OFFICE OF THE JUDGE OF PROBATE OF RUSSELL COUNTY, ALABAMA.

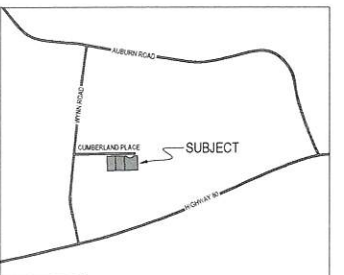
RUSSELL COUNTY ENGINEER _____ DATE OF EXECUTION _____

***CERTIFICATE OF PROFESSIONAL LAND SURVEYOR**

I, **EDDIE A. EUBANKS**, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY THIS PLAT TO BE A TRUE AND CORRECT RECORD OF AN ACTUAL SURVEY MADE BY ME, OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL PARTS OF THIS SURVEY AND PLAT HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DATE: 4/18/2019
 EDDIE A. EUBANKS, ALABAMA LICENSE NO. 2428



- LEGEND**
- PF — IRON PIPE OR PIPE FOUND
 - PPS — 1/2" REBAR IRON PIPE SET WITH EPICLASTIC RESTRICTION CAP STAMPED (LIFESPAN 100 YRS) AL CA 118
 - (FAC) — FENCE
 - (CTP) — CRIMP TOP PIPE
 - (OTF) — OPEN TOP PIPE
 - (P) — PHONE
 - (R&S) — REBAR & S&P
 - (C) — COMP TOP PIPE
 - (U) — UTILITY POLE
 - (E) — OVERHEAD ELECTRIC LINE
 - (S&C) — SANITARY SEWER CLEANOUT
 - (SD) — STORM DRAIN PIPE
 - (G) — GRATE INLET
 - (W) — WATER METER
 - (W) — WATER LINE
 - (H) — HYDRANT EQUIPMENT / AC PAD
 - (R/W) — RIGHT-OF-WAY
 - (DB) — DRAINAGE
 - (FL) — FLOOD
 - (P) — PLAT BOOK
 - (P) — PLAT
 - (N) — NOT TO SCALE
 - (R) — RECORD BEARING OR DISTANCE
 - (TYP) — TYPICAL EXAMPLE
 - (PC) — POINT OF COMMENCEMENT
 - (PB) — POINT OF BEGINNING

BARRETT-SIMPSON, INC.
 ENGINEERS & LAND SURVEYORS
 706 1/2 STREET, PHENIX CITY, AL 36866 (PH 334-297-2423, FAX 334-297-2449)
 121 W. BROAD STREET, EUFALUA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
 223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)

REVISION DATE	DESCRIPTION	DRAW DATE
1) 4/18/2019	ADDRESS CITY OF PC COMMENTS (ITS)	3/28/2019
2) 4/18/2019	CORRECTED COUNTY NOTE REGARDING WATER LINES, SANITARY LINES, ETC. (ITS)	1/2/20
3)	3/25/2019
4)	EAE/TS
PROJECT (DWG NO)		19-0072



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

MEMORANDUM

To: Planning Commission

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

Date: April 19, 2019

RE: Administrative Re-plat – 1.35 +/- acres located at 106 Cumberland Place

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