

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