

# THE CITY OF PHENIX CITY PLANNING COMMISSION AGENDA TUESDAY, SEPTEMBER 24, 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 September 10, 2019 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Approval of Administrative Replat 5+/- acres located at 535 Lee Road 315 Vicki Grogg and Yolanda Smith Pope, owners.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 7) Waiver Request 23.53+/- acres located at 4407, 4409 and 4411 Lee Road 248 Jay Shepherd, Gilbert Dyer, James Dyer, Bruce Wade, and Jason Dyer, owners.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 8) Approval of Administrative Replat 23.53+/- acres located at 4407, 4409 and 4411 Lee Road 248 Jay Shepherd, Gilbert Dyer, James Dyer, Bruce Wade, and Jason Dyer, owners.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 9) Approval of Administrative Replat 18.57+/- acres located at 1481 Lee Road 213 Kathy Jo Dades & Angela Williams, owners.
  - Staff Report
  - Developer's Comments
  - Department Memo

- 10) Approval of Administrative Replat 17.47+/- acres located at Pierce Road (Lee Road 427) JD Real Properties, LLC., owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 11) Approval of C&D Landfill Expansion 76.86+/- acres located on Downing Drive City of Phenix City, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 12) Old Business
- 13) New Business
- 14) Adjournment

### **SEPTEMBER 10, 2019**

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, September 10, 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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, and Member Taylor. Member Bailey, Member McKissic, 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 Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, 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: Asst. Director of Engineering Michael Pattillo, Graduate Engineer Khahlil Williams, Fire Chief Kris Kennedy, Deputy Building Official Ray Rogers, Utilities Director/Assistant City Manager Steve Smith, Utilities Engineer John Spraggins, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the August 13, 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 Lindsey, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, and Member Taylor. Motion thus passed.

The fifth item on the agenda was the approval of the August 27, 2019 cancelled meeting 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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, and Member Taylor. 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 is the Approval of Administrative Replat of .5+/- acres located at 2305 & 2307 27<sup>th</sup> Street – James Hall owner. Asst. Director of Engineering Michael Pattillo reviewed the staff report with the board members. Chairman Howard asked Recording Secretary Davis to read the department memo.

### **MEMO**

To: Planning Commission

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

Date: September 6, 2019

RE: Administrative Re-Plat – 0.5+/- acres located at 2305 & 2307 27<sup>th</sup> Street
The above referenced Administrative Re-plat has been reviewed by the Building,
Utilities, Fire, and Engineering Departments and does not meet the minimum
requirement for lot width within an R-1 Zoning, however, a variance was granted by the

Board of Zoning and Adjustment on August 15, 2019. All other requirements have been satisfied.

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

The eighth item on the agenda was the Approval of Administrative Replat of 2.12+/-acres located at 1870 Pierce Road for Gloria Gillis Warr and Johnny & Rhonda Majors, owners. Asst. Director of Engineering Michael Pattillo reviewed the staff report with the board members. Discussion followed. Chairman Howard asked Recording Secretary Davis to read the department memo.

### **MEMO**

To: Planning Commission

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

Date: September 6, 2019

RE: Administrative Re-Plat - 2.12+/- acres located at 1870 Pierce Road

The above referenced Administrative Replat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of Subdivision

Regulations.

Chairman Howard asked Fire Chief Kennedy if she was good with this administrative replat. Chief Kennedy stated that this property has a dam and it had collapsed and since then had been repaired. Chief Kennedy has asked Mrs. Warr for some type of documentation stating it has been fixed due to her concerns on whether or not the fire trucks would be able to cross the dam safely. At this time she has not received anything. City Attorney Jimmy Graham stated by law we could not make her give us any documentation. Fire Chief Kennedy stated that if a house fire were to happen the fire may have to be fought from the new drive way of her daughter's located on Explorer Drive. Eddie Eubanks with Barrett-Simpson, Inc. stated he would try to contact the new owner and see what they could do. At this time Chairman Howard asked if there was a motion to approve or deny. Member Sims made a motion, seconded by Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, and Member Taylor. Nays: None. Abstain: None. Motion passed.

The ninth item on the agenda was Old Business. Re-Certification Class topics & Date Change. Recording Secretary Kathy Jo Davis stated that the class for Friday, September 27, 2019 has been cancelled due to a conflict with the instructor. She is waiting to hear back from the University of North Alabama with the available October & November dates and will notify the members with the information.

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

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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, 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, September 24, 2019.

Chairman - Pat Howard	Vice Chairman – Jimmy Davis



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DR. R. GRIFF GORDY Councilmember At Large

STEVE BAILEY Councilmember District 1 **EDDIE N. LOWE** 

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Mayor Pro Tem / District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk

Mayor

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

Staff Report No.

6

Type of Request: Administrative Replat

Applicant:

Vicki Grogg, owner

Yolanda Smith Pope, owner

**Surveying Firm:** 

McCrory Surveying Company, Inc.

Site Location:

535 Lee Road 315

Acreage:

5 +/-

Number of Lots:

2

**Current Zoning:** 

None

**Current Use of Property:** 

Residential

**Proposed Use of Property:** 

Residential/Vacant

**Survey Plat:** 

**Attached** 

**City Services:** 

**Phenix City Water** 

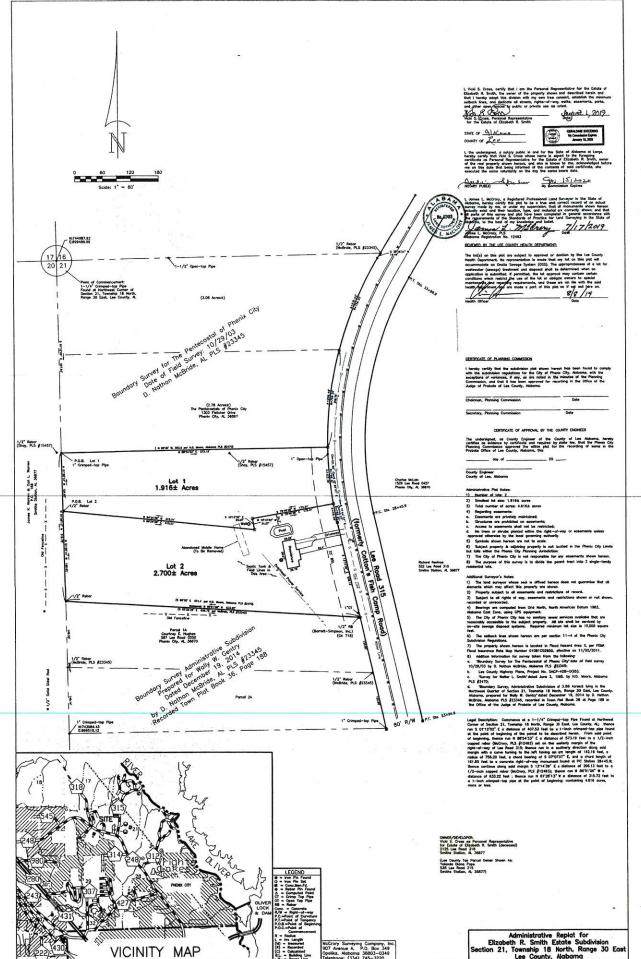
**Additional Information:** 

None

Surveyor and or Owner Comment(s):







Recd 8-20-19

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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

September 20, 2019 Date:

Administrative Re-plat - 5 +/- acres located at 535 Lee Road 315 RE:

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.







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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:

Jay Shepherd, Gilbert Dyer, James Dyer, Bruce Wade, and Jason Dyer -

owners

Surveying Firm:

Barrett-Simpson

Site Location:

4407, 4409, and 4411 Lee Road 248

Acreage:

23.53 +/-

**Number of Lots:** 

6

**Reason for Waiver Request:** 

Request is being asked for acceptance of an Administrative Subdivision

involving more than five (5) contiguous lots.

**Current Zoning:** 

None

**Current Use of Property:** 

Vacant/Residential

**Proposed Use of Property:** 

Vacant/Residential

**Survey Plat:** 

**Attached** 

**City Services:** 

None

**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:** 

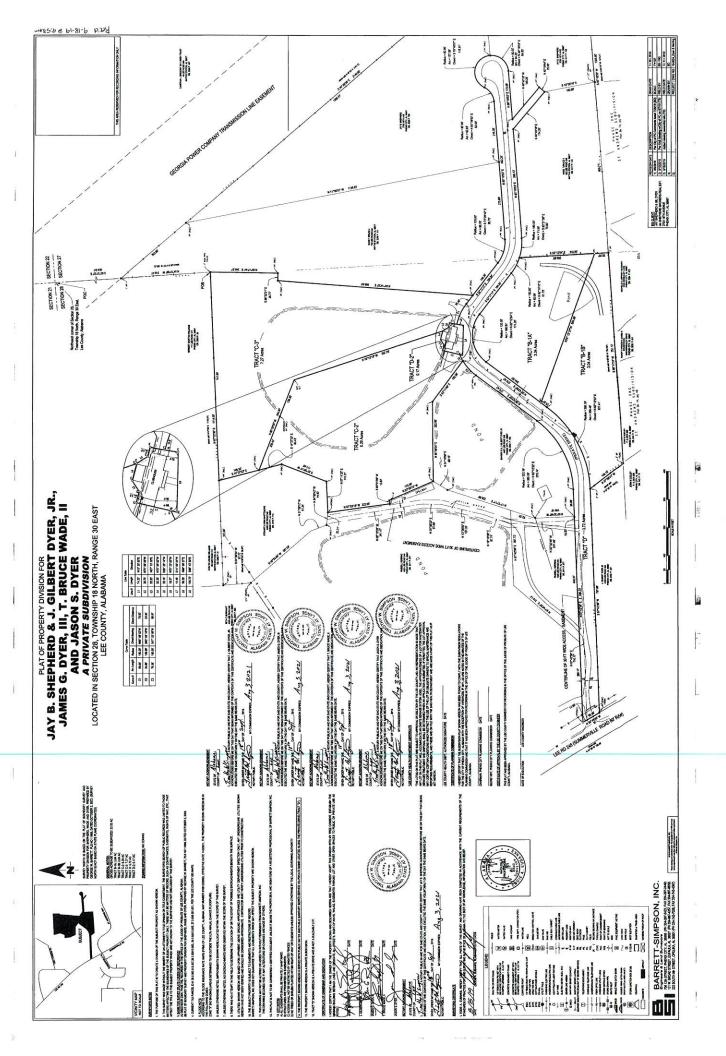
See application for waiver





### REQUEST FOR WAIVER

NAME OF DEVELOPER(S): Jay B. Shepherd, J. Gilbert Dyer, Jr., James G. Dyer, III, & Jason S. Dyer
NAME OF ENGINEERING FIRM: Barrett-Simpson, Inc.
EMAIL ADDRESS OF OWNER: jay.shepherd@shepherdbrokers.com
NAME OF SUBDIVISION:  Property Division for Jay B. Shepherd, J. Gilbert Dyer, Jr., James G. Dyer, III, & Jason S. Dyer
LOCATION OF SUBDIVISION: Summerville Road (Lee Road 248)
STATE IN FULL WHY A WAIVER IS BEING REQUESTED:
Waiver is requested to allow approval of the proposed property division with the existing private drive
STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON:
Tract D as shown on the attached plat of property division is an existing private drive, not a buildable lot.
LIST ANY ATTACHMENTS TO THIS PETITION: Plat of Property Division for Jay B. Shepherd, J. Gilbert Dyer, Jr., James G. Dyer, III, & Jason S. Dyer
Tat of Froperty Division for day B. Onepherd, c. Gilbert Byer, dr., James C. Byer, III, & Jason S. Byer
PROVIDE A SHORT EXPLAINATION WHY YOU BELIEVE THE WAIVER SHOULD BE APPROVED:
This is a private subdivision with a private drive. The private drive is a tract unto itself, which is a non-buildable lot.
$\frac{1}{2}$
Signature of Owner Date





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VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Mayor Pro Tem / District 3

### **MEMORANDUM**

To: Planning Commission

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

September 20, 2019 Date:

RE: Waiver Request - 23.53 +/- acres located at 4407, 4409 and 4411 Lee Road 248

The submitted Waiver request for 4407, 4409 and 4411 Lee Road 248 does not meet the requirements of Article III, Section 10 of the Subdivision Regulations which states that an Administrative Subdivision is a re-subdivision involving not more than five (5) contiguous lots fronting an existing street.







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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: Administrative Replat

Applicant:

Jay Shepherd, Gilbert Dyer, James Dyer, Bruce Wade, and Jason Dyer -

owners

Surveying Firm:

Barrett Simpson, LLC.

Site Location:

4407, 4409, and 4411 Lee Road 248

Acreage:

23.53 +/-

**Number of Lots:** 

6

**Current Zoning:** 

None

**Current Use of Property:** 

Vacant/Residential

**Proposed Use of Property:** 

Vacant/Residential

**Survey Plat:** 

**Attached** 

**City Services:** 

None

**Additional Information:** 

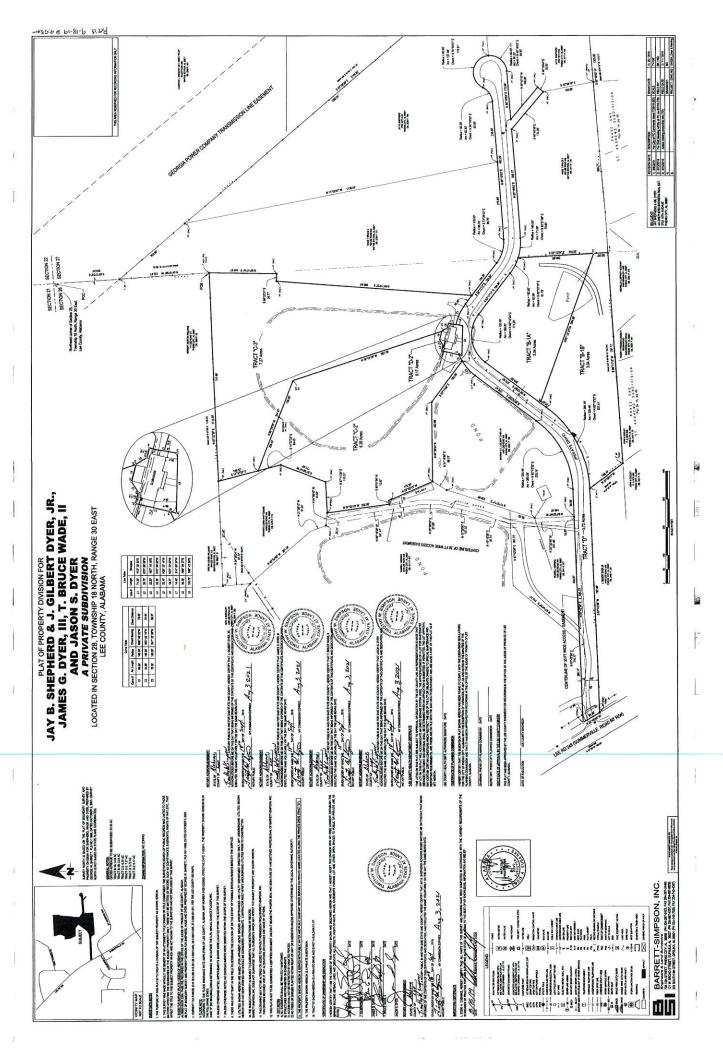
None

Surveyor and or Owner Comment(s):

None









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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:

September 20, 2019

RE:

Administrative Re-plat - 23.53 +/- acres located at 4407, 4409 and 4411 Lee Road 248

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. A waiver request has been submitted by the owners.







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Councilmember District 1

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Director of Engineering / Director of Public Works

Staff Report No.

9

Type of Request: Administrative Replat

Applicant:

Kathy Jo Dades, owner

Angela Lynn Williams, owner

Surveying Firm:

Barrett Simpson, Inc.

Site Location:

1481 Lee Road 213

Acreage:

18.57 +/-

**Number of Lots:** 

3

**Current Zoning:** 

None

**Current Use of Property:** 

Residential

**Proposed Use of Property:** 

Residential/Vacant

**Survey Plat:** 

**Attached** 

**City Services:** 

**Phenix City Water** 

Additional Information:

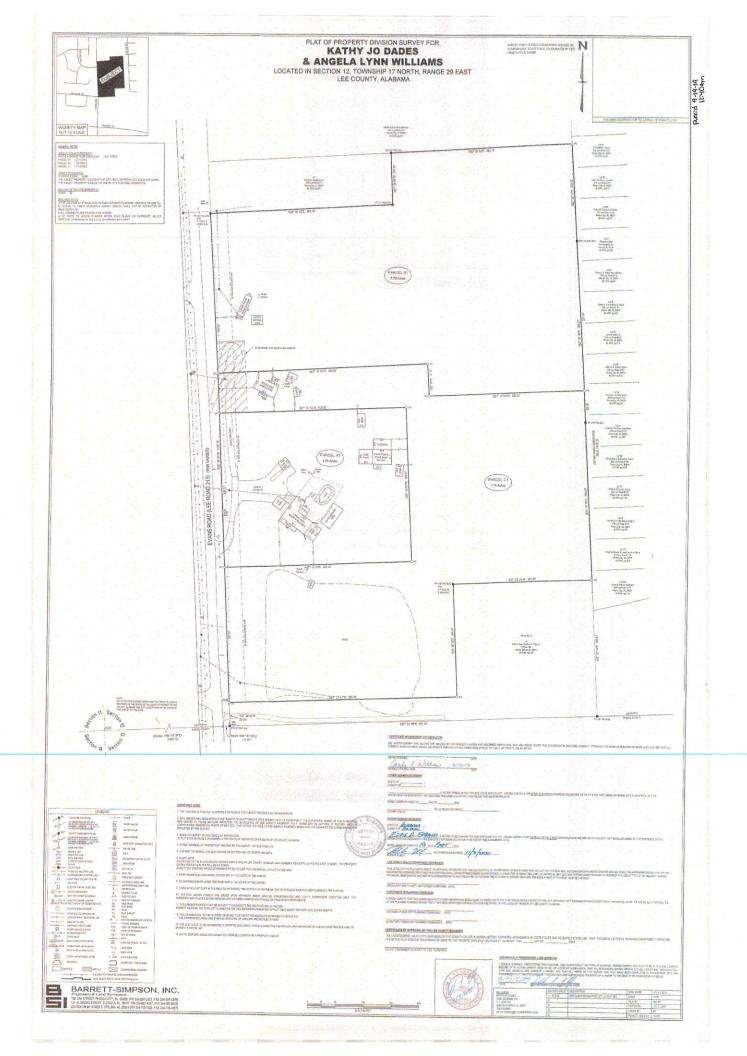
None

Surveyor and or Owner Comment(s):

None









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Director of Engineering / Director of Public Works

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ARTHUR L. DAY, JR. Mayor Pro Tem / District 3

## **MEMORANDUM**

To:

Planning Commission

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

Date:

September 20, 2019

RE:

Administrative Re-plat – 18.57 +/- acres located at 1481 Lee Road 213

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.







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Staff Report No.

10

Type of Request: Administrative Replat

Applicant:

JD Real Properties, Inc.

Surveying Firm:

Barrett Simpson, Inc.

Site Location:

Pierce Road/Lee Road 427 (Adjacent to Home Depot)

Acreage:

17.47 +/-

Number of Lots:

2

**Current Zoning:** 

C-4/None

**Current Use of Property:** 

Vacant

**Proposed Use of Property:** 

Commercial

**Survey Plat:** 

**Attached** 

**City Services:** 

Phenix City Water, Sewer, Streets, Drainage, Fire and Police

**Additional Information:** 

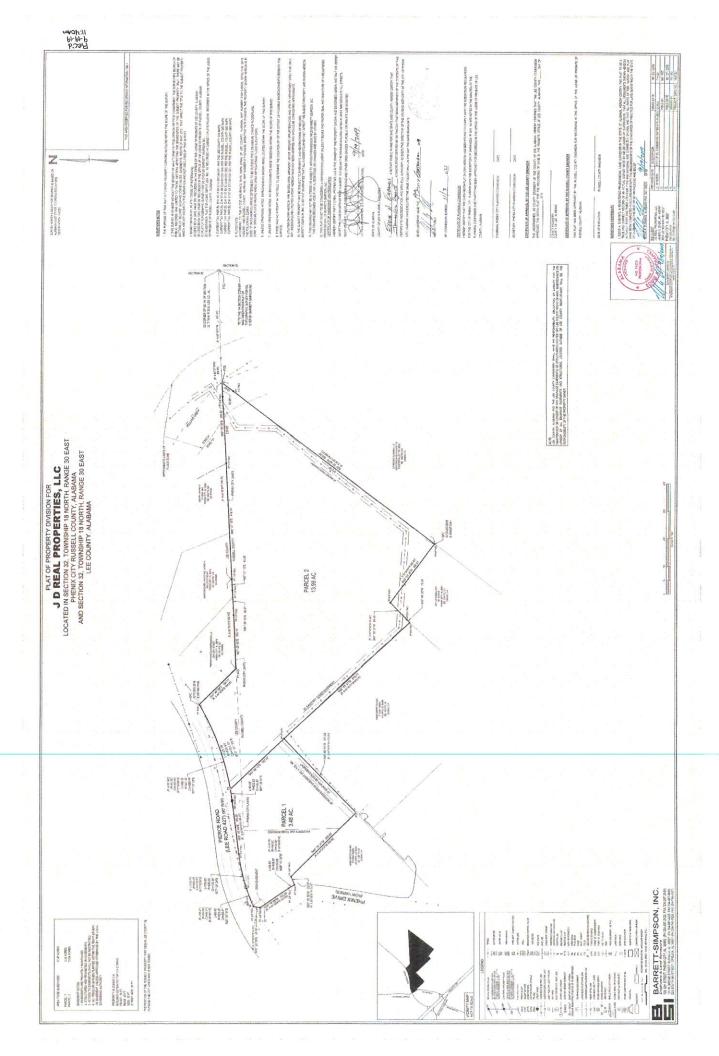
A portion of both properties is not in the City Limits

Surveyor and or Owner Comment(s):

None









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ARTHUR L. DAY, JR. Mayor Pro Tem / District 3

### **MEMORANDUM**

To:

Planning Commission

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

Date:

September 20, 2019

RE:

Administrative Re-plat - 17.47 +/- acres located at Pierce Road/Lee Road 427

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.







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Councilmember District 1

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Director of Engineering / Director of Public Works

Staff Report No.

11

Type of Request: Approval of Land Use

Applicant:

City of Phenix City

Surveying Firm:

N/A

Site Location:

Downing Drive (Current C & D Landfill)

Acreage:

76.86 +/-

Number of Lots:

1

**Current Zoning:** 

M-2

**Current Use of Property:** 

C & D Landfill

**Proposed Use of Property:** 

**Landfill Expansion** 

**Survey Plat:** 

**Attached** 

**City Services:** 

Phenix City Water, Sewer, Streets, Drainage, Fire and Police

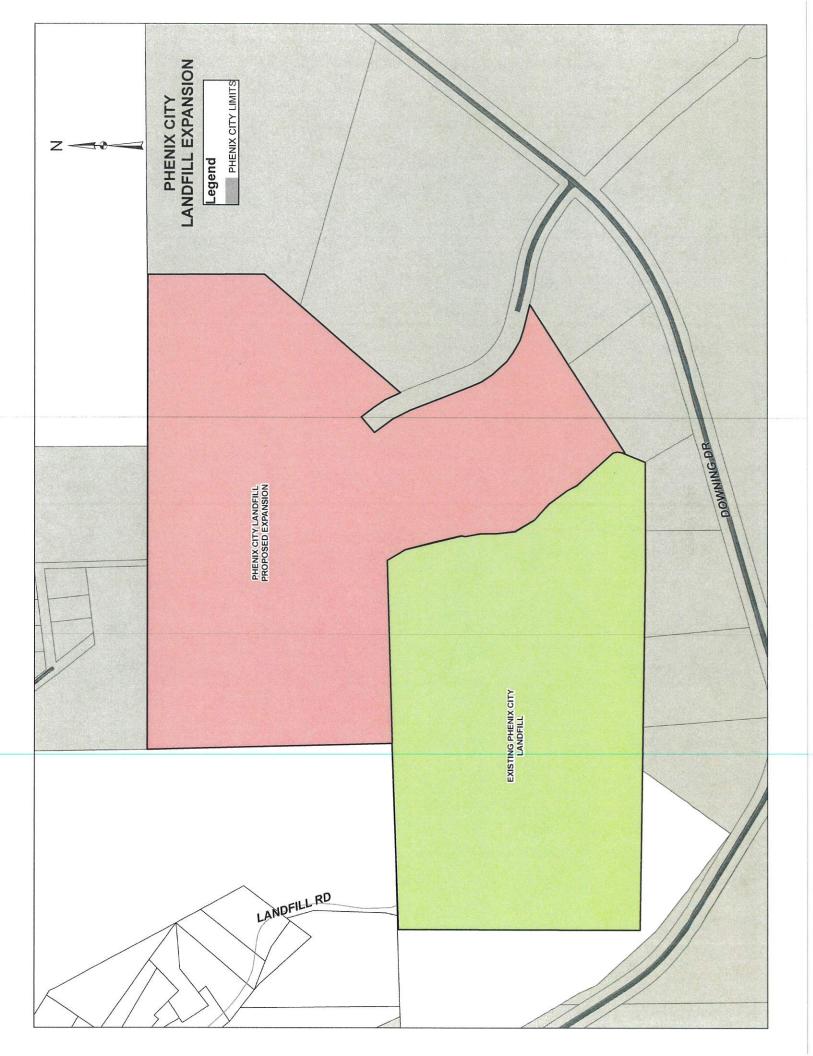
**Additional Information:** 

None

Surveyor and or Owner Comment(s): Attached









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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: September 20, 2019

RE:

Approval and Recommendation to City Council of the Construction and Debris Landfill

**Expansion** 

The City's current C&D Landfill is nearing full capacity and in order for operations to continue the landfill needs to be expanded. The plan for this expansion is to utilize existing City property adjacent to the current landfill. The Engineering Department is currently working through the permit process for this expansion with the Alabama Department of Environmental Management (ADEM). One component of the permit application is validating Local Government Approval of the location and expansion of the current landfill. We are requesting a recommendation from the Planning Commission for approval of the proposed landfill expansion. A public hearing is tentatively scheduled for November 19, 2019 at 9:00 a.m. in the Council Chambers.



