



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, MAY 12, 2020
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 28, 2020 Meeting Minutes

- 5) Rules for Addressing Planning Commission
- 6) Acceptance of Rezone - .47+/- ac at 1918 5th Street South and .45+/- acres at 1916 5th Street South – Herman Marsh & Nellie Pearl Attn: Shirley Carroll and Martha Powell, owners.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Old Business
- 8) New Business
- 9) Adjournment

April 28, 2020

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, April 28, 2020 at 5:15 PM EST in the Phenix City Council Chambers located in the Public Safety Building, 1111 Broad Street or via Zoom or by teleconference.

Chairman Howard called the meeting to order and asked Recording Secretary Davis to call roll. Upon roll call, the following members answered present: Chairman Howard and Member Ivy. The following members answered present by way of live stream via City Website or by the platform Zoom. Member Bailey, Member McKissic, and Member Taylor. Those in attendance by way of conference call were Vice Chairman Davis. Member Lindsey was present without sound. Member Sims 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 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 McKissic, and Member Taylor. Abstain: None. Nays: None. Motion thus passed.

Chairman Howard asked Recording Secretary Davis to call roll for the City Employees. The following City Personnel were present in person: City Engineer Angel Moore, Graduate Engineer Chris Casey, and Recording Secretary Kathy Jo Davis. City Employees present by way of live stream via City Website were Assistant Utilities Director Charles Woody, Utilities Engineer John Spraggins, Fire Chief Kris Kennedy, Fire Marshal Marc Wells, Building Official Gil Griffith, Economic Development Manager Shaun Culligan, and City Attorney Jimmy Graham.

The fourth item on the agenda was the approval of the April 14, 2020 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, Member Ivy, Member McKissic, and Member Taylor. Abstain: Chairman Howard. 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 Waiver Request for Evans Crossing Subdivision located at the intersection of Lee Road 219 and Lee Road 213, Evans Road Development, LLC., owner. City Engineer Angel Moore 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: April 24, 2020

RE: Waiver Request - Evans Crossing

The submitted Waiver request for Evans Crossing requesting part of Lot 16 and all of Lots 17 – 19 to be served by Phenix City Utilities has been reviewed. A letter of release from Smith's Water Authority has been provided.

At this time Chairman Howard asked for a motion to approve or deny. A motion to approve with the waiver being attached to the minutes was made by Vice Chairman Davis, 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 McKissic, and Member Taylor. Abstain: None. Motion thus passed.

The seventh item on the agenda was the Public Hearing and Approval of Preliminary Plat of Evans Crossing Subdivision located at the intersection of Lee Road 219 and Lee Road 213, Evans Road Development, LLC., owner. City Engineer Angel Moore 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: April 24, 2020

RE: Preliminary Plat for Evans Crossing

The above referenced preliminary plat 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 opened the Public Hearing and provided the number of 334-448-2719 for the public to call in with any questions or comments. With no one calling in the Public Hearing was closed. Chairman Howard asked for a motion to approve or deny. 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, Member McKissic, and Member Taylor. Abstain: None. Motion thus passed.

The eighth item on the agenda was the Public Hearing and Approval of Amending Article VI, Section 19: Signs and Outdoor Advertising; adding Political Signs to the Zoning Ordinance. Building Official Gil Griffith reviewed the amendment with the Board members. At this time Chairman Howard opened the Public Hearing and provided the number of 334-448-2719 for the public to call in with any questions or comments. With no one calling in the Public Hearing was closed. Chairman Howard asked for a motion to approve or deny. A motion to approve was made by Vice Chairman Davis, 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 McKissic, and Member Taylor. Abstain: None. Motion thus passed.

The ninth item on the agenda was the Public Hearing and Approval of an Agreement to Clarify the Subdivision Review and Approval Process in the Municipal Planning Jurisdiction of The City of Phenix City, Alabama. City Engineer Angel Moore reviewed with the Board members the Agreement and stated that the City Attorney has reviewed the agreement. At this time 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: April 24, 2020

RE: Approval of Agreement Between Phenix City and Lee County to Clarify Review and Approval Process In The Municipal Planning Jurisdiction of the City of Phenix City, AL

The City of Phenix City and Lee County have been operating under the legislature passed in 2012, Alabama Act 2012-297, which essentially made it where the county's subdivision regulations solely apply outside the corporate limits of cities unless, the

county and the city enter into a written agreement providing that the municipal planning commission "shall be responsible for the regulation and enforcement of the development of subdivisions within the territorial jurisdiction of the municipal planning commission under the terms and conditions of the agreement."; which agreement would have to be approved by resolutions of the county commission, city council, and municipal planning commission.

At this time Chairman Howard opened the Public Hearing and provided the number of 334-448-2719 for the public to call in with any questions or comments. With no one calling in the Public Hearing was closed. Chairman Howard asked for a motion to approve or deny. A motion to approve was made by Vice Chairman Davis, 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 McKissic, and Member Taylor. Abstain: None. Motion thus passed.

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

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

The twelve item on the agenda was the Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Vice Chairman Davis, 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 McKissic, 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, May 12, 2020.

Chairman – Pat Howard

Member – Don Ivy



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: Rezone

Applicant: RaceTrac Petroleum, Inc. (applicant and under contract to purchase)
Herman Marsh & Nellie Pearl attn: Shirley Carrol
Martha Powell

Surveyor of Record: Derek S. Meadows, PLS; Gonzalez-Strength & Associates

Site Location: 1918 & 1916 5th Street South

Acreage: .92 acres total (.47 & .45)

Current Zoning: R-1, Low Density Residential

Proposed Zoning Classification: C-4, Highway Commercial District

Current Use of Property: Residential

Proposed Use of Property: Commercial Development (Gas Station)

Survey Plat: Attached

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

Additional Information: None

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



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

MEMORANDUM

To: Planning Commission
M. P. For A.M.
From: Angel Moore, P.E., City Engineer/Public Works Director
Date: May 8, 2020
RE: Rezone – 1918 & 1916 5th Street South

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.