

THE CITY OF PHENIX CITY PLANNING COMMISSION AGENDA TUESDAY, NOVEMBER 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 October 26, 2021 Meeting Minutes
- 5) Approval of the November 9, 2021 Cancelled Meeting Minutes
- 6) Rules for Addressing Planning Commission
- 7) Approval of Administrative Replat 3.71+/- acres located at 10 Herman Drive Carol Duke, Lynda Fairer, and Joseph Lloyd, owners.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 8) Acceptance of Rezone 0.53+/- acres located on Water Works Road off South Railroad Street from No Zoning to A-O (Apartment and Office District) City of Phenix City, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 9) Acceptance of Rezone 1.08+/- acres located at 3900 Waterworks Road from R-2 (Medium Density Residential District) to an A-O (Apartment and Office District) BFI, LLC. (Michael Bowden) owner.
 - Staff Report
 - Developer's Comments
 - Department Memo

- 10) Approval of Administrative Replat - 1.31+/- acres located at 3616 & 3618 Hwy 431 N - English Properties, LLC. owners.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 11)Old Business
- 12) New Business
- 13)Adjournment

October 26, 2021

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, October 26, 2021 at 5:15 PM EST in the Martin-Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama.

Chairman Howard called the meeting to order and asked Secretary Phillips to call roll. Upon roll call, the following members answered present: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Taylor, and Member Phillips. The following members answered present by way of telephone: Member Lindsey. The following members answered present by way of Zoom: Member Johnson and Member McKissic. Members not present: Member Sims.

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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, 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 Councilmember Vicki Carter Johnson. City Engineer Angel Moore, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Utilities Engineer John Spraggins, Building Official Gil Griffith, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, City Planner Tracie Hadaway, City Manager Wallace B. Hunter, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the September 28, 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 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 McKissic, Member Taylor, and Member Phillips. Abstain: Member Johnson. 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 an Approval of Administrative Replat for 1.31+/- acres located at 3616 Hwy 431 North for English Properties, LLC (Bob English), owner. City Engineer Angel Moore stated that after further review this item would have to go before the BOZA Board due to lost size and then come back to the Planning Commission. A motion to pull this agenda item was made by Vice Chairman Davis, 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 Johnson, Member Lindsey, Member McKissic, Member Taylor, and Member Phillips. Nays: None. Abstain: None. Motion thus passed.

The seventh on the agenda was a Public Hearing and Approval of Rezone of 0.47 +/-acres located at 3102 South Railroad Street from an A-O (Apartment and Office District) to a C-3 (Neighborhood Commercial District), Catarang Properties, LLC (Rodney Niles), owner. City Engineer Angel Moore reviewed the staff report with the members. Chairman Howard asked Secretary Phillips to read the department memo.

<u>Memo</u>

To: Planning Commission

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

Date: October 21, 2021

RE: Rezone - 0.47 +/- acres located at 3102 South Railroad Street

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.

Chairman Howard opened the Public Hearing. With no one coming forward or calling in the Public Hearing was closed. Chairman Howard asked if there was 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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Taylor, and Member Phillips. Nays: None. Abstain: None. Motion thus passed.

The eighth item on the agenda was a Public Hearing and Approval of a Rezone of 11+/-acres located on the West side of Lakewood Drive & South of Holland Creek from an R-1 (Low Density Residential District) to an R-3 (High Density Residential District), GGG Partners, LLC (John Daniel Greene, Dudley Elizabeth Greene, and Brooks Harrison Greene), owners. City Engineer Angel Moore reviewed the staff report and maps with the members. Mrs. Moore also read a letter from Barrett Development Consultants, LLC, which reads as follows:

25 October, 2021

Ms. Angel Moore, P.E. City of Phenix City Engineering Dept. 1206 7th Avenue Phenix City, AL 36867

Via: Email

RE: Petition to Rezone: Green Family Property, Lakewood Drive @ Holland Creek

Dear Angel,

This letter is to advise that I have discussed the matter with the Green Family and they are fully aware that to develop this subject property in all likelihood will require encroachment into the flood plain and that this action will require approval of a CLOMAF by FEMA and the City of Phenix City. They are cognizant of the process and aware that approval of the CLOMAF is not assured.

Barrett Development Consultants, LLC George W. (Bill) Barrett

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: October 21, 2021

RE: Rezone - 11 +/- acres located along the west side of Lakewood Drive & South of

Holland Creek

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

Chairman Howard opened the Public Hearing, Mr. Jim Talbot, representative for the owner came forward to give an overview of the proposed project. Mr. Bill Barrett of Barrett Development Consultants, LLC, and a representative for the owner came forward and stated the site & construction plans are not finalized. Rezoning the property is the first hurdle, then we will sit down and see what will work in the area. Lesley Dudley, owner came forward and was asked by Chairman Howard if the rezone was passed and she was turned down by FEMA and or the State what then what she do with the property. Ms. Dudley stated she had not thought that far because she was going to do whatever it took to make this project work. If for some reason it didn't she would probably come back to ask for it to be rezoned to something else so she could build on it. Julie Torryeyson of 3407 Bridgewater Court came forward. Her concerns were the catastrophic traffic, crime, insurance rates, didn't want the project, and stated she was not notified of the public hearing. Jay O'Neal of 4408 Sue Drive came forward. Mr. O'Neal stated that they have a tight neighborhood, the rezone sign needs to be bigger and the location of the sign was not very visible. Traffic is also a concern of his, what will be built there, has heard a lot of rumors of several things that it would be; close to the creek and what effect would it have on the wildlife. Kimberly Scroggs of 3710 Holland Court came forward stating she lives in a quite community and if you take the buffer away it will result in issues in the area. Christine Morgan of 2416 Greenbrier Drive came forward with concerns about the traffic, crime, property value going down, and the quality of life would be effected. John Morgan of 2416 Greenbrier Drive came forward with concerns of the floodplain and the creek. Danny Powell, Jr. of 1413 Fletcher Drive came forward with his concerns about the traffic, crime, property value, taxes, environmental impact of the creek and sex offenders. Leslie Dudley of 2647 Summerville Road and owner of property to be rezoned stated that she is heavily invested in the community. Phenix City and Smiths Station. She also stated that no one has asked what her plan is to put at this location. She wants to put a Senior Living Gated Community. She is aware she can't have no more than 96 units and it may be less. She is also aware of the issues ahead of her and she is willing to do whatever it takes to make this project work. She doesn't want to decrease any values and she believes this will be an asset to the community. Sherry Guinn, Administrator for the Lakewood Health Care located at 3900 Lakewood Drive came forward. Her concerns were the flooding in the area as well as the traffic and the emergency vehicle access to her facility due to the extra traffic. Larry Burdell of Bridgewater came forward with is concerns for the traffic in the area as well. With no one else coming forward the Public Hearing was closed. Chairman Howard asked Building Official Gil Griffith about the sign. Mr. Griffith stated the sign is 32 x 24 which meets the City regulations and is located on the property that is to be rezoned. Mr. Griffith did go by the property and everything was in order. Recording Secretary Kathy Jo Davis stated that by law the Planning Commission is only required to send certified letters to the adjoining property owners of the property that is requesting rezoning. City Engineer Angel Moore stated that she wanted to make sure it was understood that the Planning Commission only makes a recommendation to City Council and City Council would have a 1st Reading, would advertise it in the newspaper, on the City website and a Public Hearing as well. At this time the City Council Public Hearing is scheduled for Tuesday, December 7, 2021. Member Taylor asked that the only thing being presented was the rezone and the owner was aware she may not be able to do the proposed project. City Engineer Angel Moore stated if the rezone is approved for an R-3 and the project did not work out then anything allowed in an R-3 could be built at a later date.

At this time Chairman Howard asked if there was a motion to approved or deny. No motion was made. Chairman Howard asked City Attorney Graham what the next step is. Mr. Graham stated that due to no motion it would go to City Council with no recommendation. Due to no motion made, no recommendation will be submitted to City Council.

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

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 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 McKissic, 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 November 9, 2021.

| Chairman – Pat Howard | Secretary – Eliza Phillips |
|-----------------------|----------------------------|

November 9, 2021

| The Planning Commission of Tuesday, November 9, 2021 meeting due to | the City of Phenix City, Alabama cancelled the no agenda items. |
|---|---|
| The Planning Commission will meet a November 23, 2021. | at the next regular scheduled meeting on Tuesday, |
| Chairman – Pat Howard | Secretary – Eliza Phillips |



ENGINEERING / PUB

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

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

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Item No. 7

Type of Request: Administrative Subdivision

General Information

Applicant: Carol Langley Duke, Lynda Kay Langley Fairer,

and Joseph Lloyd

Surveyor of Record: Barrett-Simpson, Inc.

Site Location: 10 Herman Drive

3.71 +/- acres Acreage:

Number of Lots: 2

Current Zoning: None (Planning/Police Jurisdiction)

Current Use of Property: Residential

Proposed Use of Property: Residential (Lot B is currently a single family

dwelling. Use of Lot A will be residential.)

District: None

Survey Plat: Attached

City Services: Phenix City Water

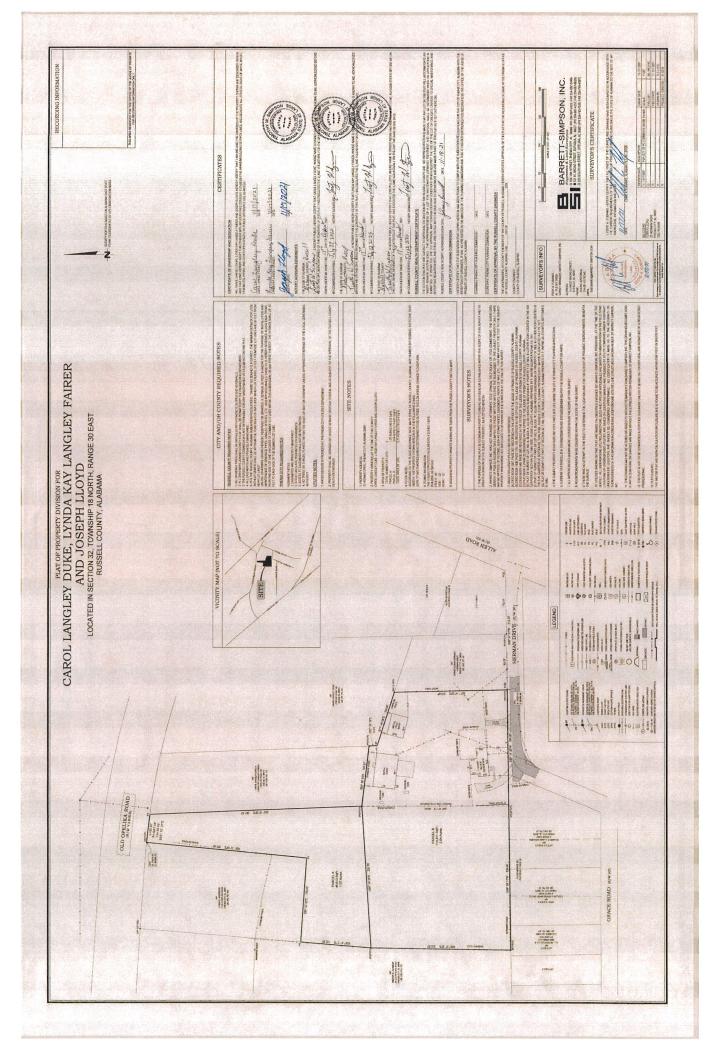
Staff Comments

None

Engineer/Owner Comments









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

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

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember 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. Fan A.M. Angel Moore, P.E., City Engineer/Public Works Director

Date: November 19, 2021

RE:

Administrative Subdivision - 3.71 +/- acres located at 10 Herman Dr.

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







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

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

Mayor

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Item No. 8

Type of Request: Rezone

General Information

Applicant:

City of Phenix City

Surveyor of Record:

Barrett-Simpson, Inc.

Site Location:

Waterworks Rd.

Acreage:

0.53 +/- acres

Current Zoning:

None

Proposed Zoning Classification:

A-O Apartment and Office District

Current Use of Property:

Right of Way

Proposed Use of Property:

Multifamily Residential (as allowed per A-O

Zoning)

District:

One (1)

Survey Plat:

Attached

City Services:

Phenix City Water, Sewer, Streets & Drainage,

Fire, Police

Staff Comments

Considerations:

- Waterworks Rd. will be declared surplus at the December 6, 2021 City Council Meeting allowing it to be sold to Mr. Michael Bowden at fair market value.
- The proposed development will have to meet Fire Code requirements.
- Based on the 2014 Comprehensive Plan, future residential uses along the corridor should be multi-family developments with smaller lots, and higher density, single-family residential subdivisions located on collector roads off of the main corridor arterial road.





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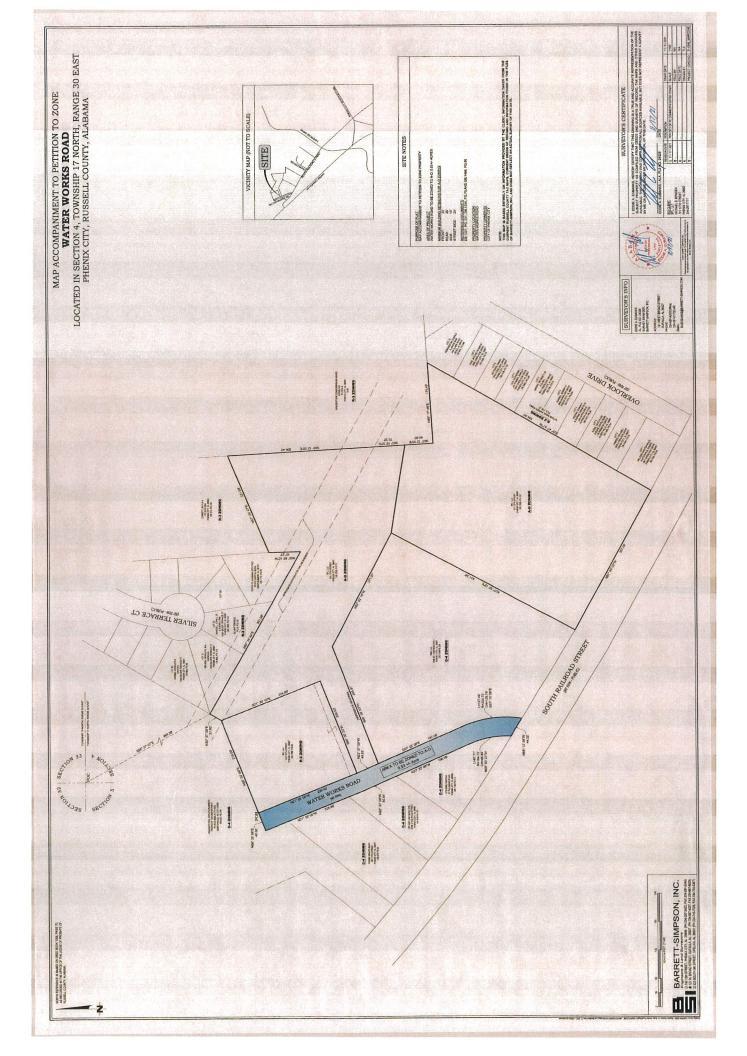
Land Use Table:

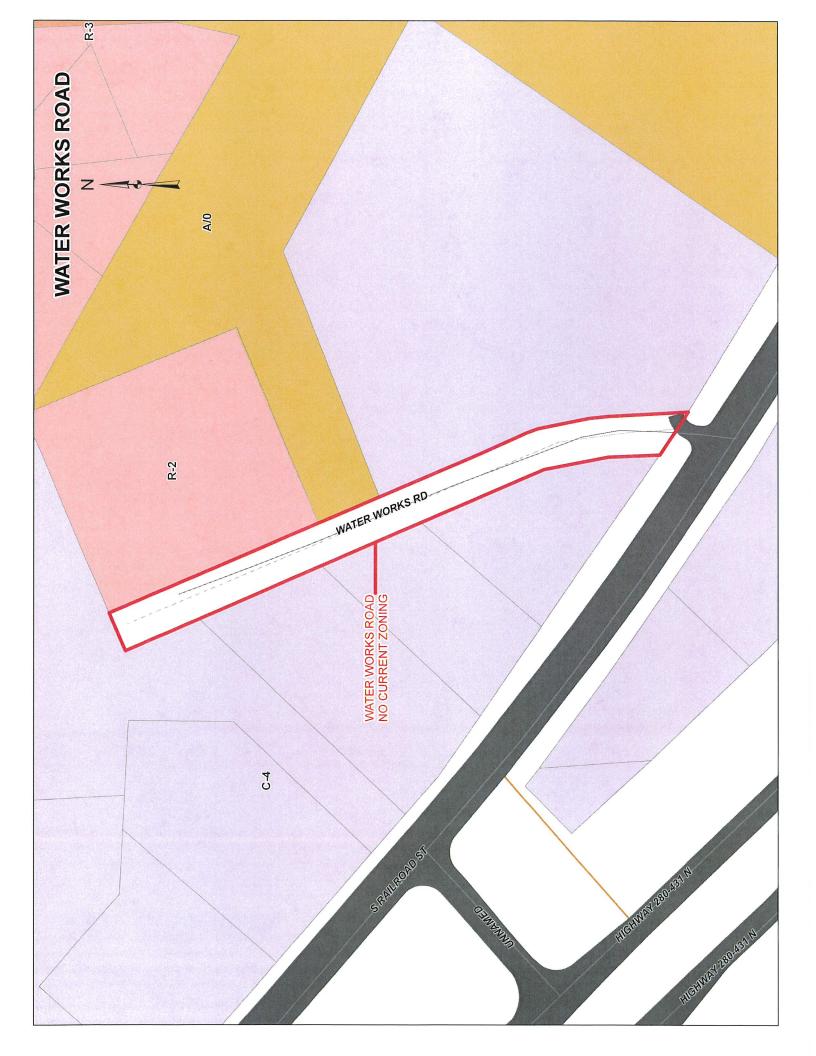
| Location | Current Zoning Classification | Existing Land Use | Future Land Use |
|------------------------------|----------------------------------|---------------------|--------------------|
| Subject Property | ROW | Vacant | Mixed Use Corridor |
| North of Subject Property | C-4 | Commercial | Mixed Use Corridor |
| East of Subject Property | R-2, C-4 and A-O | Residential, Office | Mixed Use Corridor |
| South of Subject Property | C-4 | Commercial | Mixed Use Corridor |
| West of Subject Property | C-4 | Commercial | Mixed Use Corridor |

Engineer/Owner Comments











ENGINEERING / PUB

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

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

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

MEMORANDUM

To: **Planning Commission**

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

Date: November 19, 2021

Rezone – 0.53 +/- acres located at along Waterworks Rd. RE:

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.







EVEINEENIO/E

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

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

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Item No. 9

Type of Request: Rezone

General Information

Applicant:

BFI, LLC; Michael Bowden, owner

Surveyor of Record:

Barrett-Simpson, Inc.

Site Location:

3900 Waterworks Rd.

Acreage:

1.08 +/- acres

Current Zoning:

R-2 Medium Density Residential District

Proposed Zoning Classification:

A-O Apartment and Office District

Current Use of Property:

Single Family Residential

Proposed Use of Property:

Multifamily Residential (as allowed per A-O

Zoning)

District:

One (1)

Survey Plat:

Attached

City Services:

Phenix City Water, Sewer, Streets & Drainage,

Fire, Police

Staff Comments

Considerations:

- The proposed development will have to meet Fire Code requirements.
- Based on the 2014 Comprehensive Plan, future residential uses along the corridor should be multi-family developments with smaller lots, and higher density, single-family residential subdivisions located on collector roads off of the main corridor arterial road.







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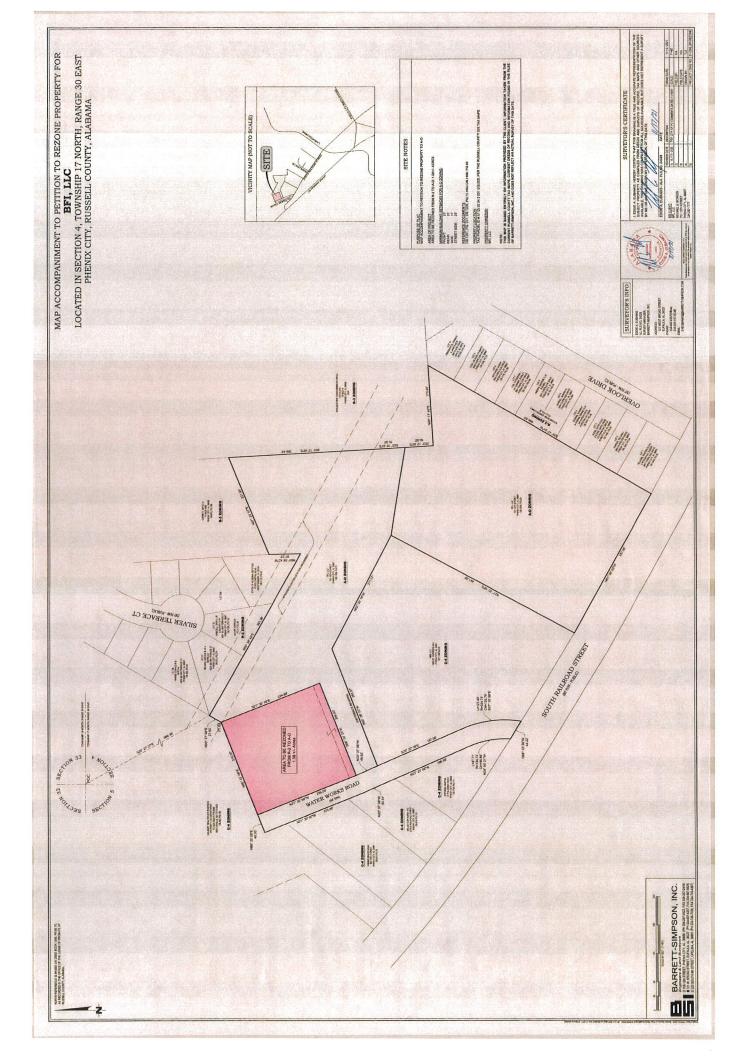
Land Use Table:

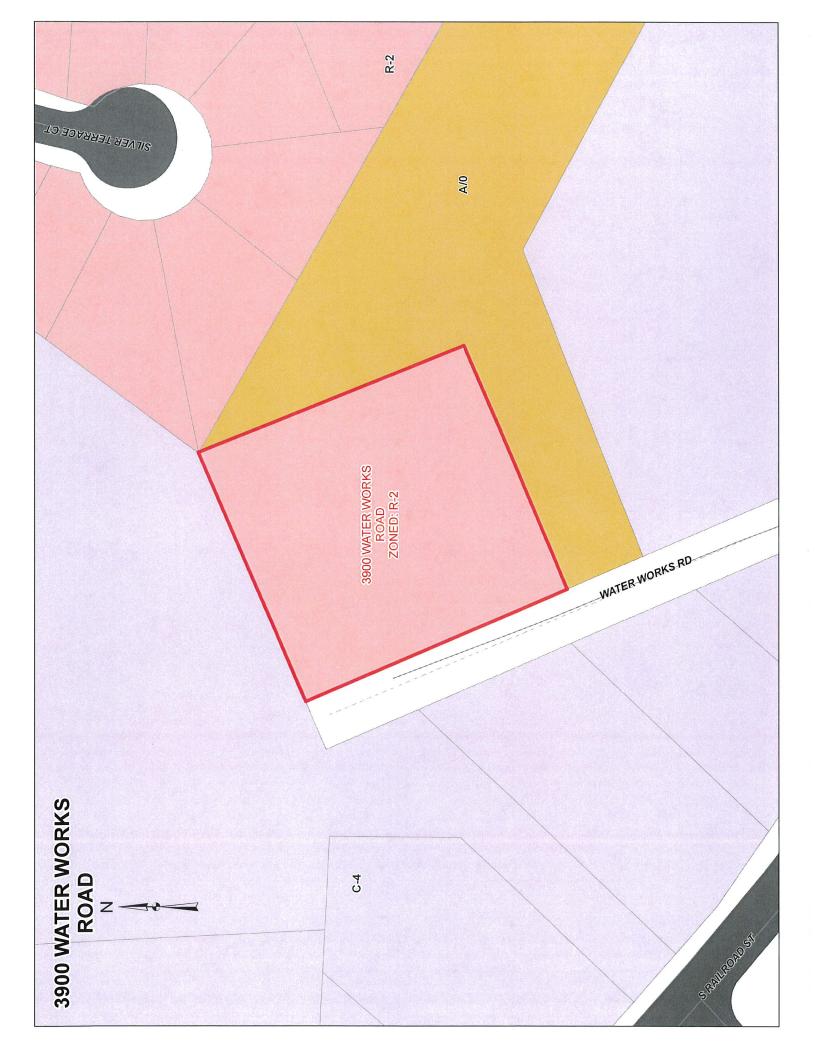
| Location | Current Zoning Classification | Existing Land Use | Future Land Use |
|------------------------------|----------------------------------|-------------------|--------------------|
| Subject Property | R-2 | Residential | Mixed Use Corridor |
| North of Subject Property | C-4 | Commercial | Mixed Use Corridor |
| East of Subject Property | A-O | Vacant | Mixed Use Corridor |
| South of Subject Property | A-O | Vacant | Mixed Use Corridor |
| West of Subject Property | C-4 | Commercial | Mixed Use Corridor |

Engineer/Owner Comments











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ARTHUR L. DAY, JR. Councilmember 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. Fast A.M.
From: Angel Moore, P.E., City Engineer/Public Works Director

Date: November 19, 2021

RE: Rezone - 1.08 +/- acres located at 3900 Waterworks Rd.

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.







601 12th Street | Phenix City, AL 36867

Ph: 334-448-2760

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

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

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer Director of Engineering / Director of Public Works

Item No. 10

Type of Request: Administrative Subdivision

General Information

Applicant:

English Properties, LLC

Surveyor of Record:

Barrett-Simpson, Inc.

Site Location:

3616 & 3618 Hwy 431N

Acreage:

1.31 +/- acres

Current Zoning:

C-4, Highway Commercial District

Current Use of Property:

Commercial

Proposed Use of Property:

Commercial (Restaurant)

District:

One (1)

Survey Plat:

Attached

City Services:

Phenix City Water, Sewer, Streets & Drainage,

Fire, Police

Staff Comments

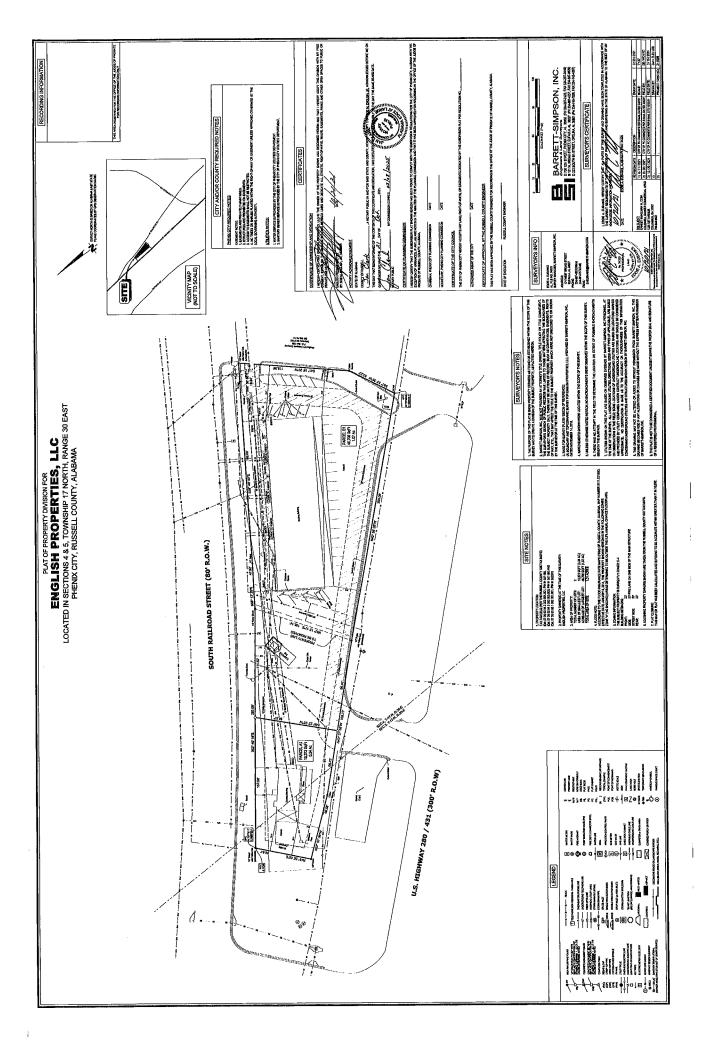
Considerations:

- Parcel A1 received a variance from the Board of Zoning and Adjustments for minimum lot size requirements under C-4 Zoning.
- The proposed development will have to meet Fire Code requirements.

Engineer/Owner Comments









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

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

Director of Engineering / Director of Public Works

WALLACE B. HUNTER, City Manager MELONY LEE, City Clerk ANGEL MOORE, P.E., City Engineer

VICKEY CARTER JOHNSON Councilmember District 2

ARTHUR L. DAY, JR. Councilmember District 3

MEMORANDUM

To: **Planning Commission**

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

Date: November 19, 2021

RE: Administrative Subdivision - 1.31 +/- acres located at US Hwy 280/431N and S. Railroad St.

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



