



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, DECEMBER 28, 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 December 14, 2021 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Approval of Administrative Replat – 4.80+/- ac located at 3926 US Hwy 80 West – John Menza Dudley, Jr., and L.D. Greene, owners.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 7) Old Business
- 8) New Business
- 9) Adjournment

December 14, 2021

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, December 14, 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 Johnson, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. Members not present: Member McKissic.

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 Sims, 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 Vickey Carter Johnson. Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Utilities Engineer John Spraggins, Building Official Gil Griffith, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Fire Marshall Kerry Bragg, 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 November 23, 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 Member Sims. 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 Sims, Member Taylor, and Member Phillips. Abstain: None. 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 Waiver – Shadow Wood Phase V, located on the Southern terminus of Shadow Wood Lane, 5B, LLC (Michael Bowden), owner. Graduate Engineer Chris Casey reviewed the staff report with the members. Chairman Howard asked that the waiver be added to the minutes (copy attached) and asked Secretary Phillips to read the department memo.

Memo

To: Planning Commission

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

Date: December 9, 2021

RE: Waiver Request – Preliminary Plat for Shadow Wood Phase V

The submitted Waiver request for the proposed subdivision does not meet the requirements for number of entrances/exits per Article IV Section 2A of the Subdivision Regulations.

At this time Mr. Michael Bowden came forward with a presentation for the Commission in reference to Shadow Wood Phase V. Mr. Bowden presented stats from other surrounding cities in reference to number of subdivisions built in the areas within the last few years compared to the number of subdivisions built in Phenix City per the City's Subdivision Regulations including fire code requirements. Fire Chief Kris Kennedy came forward and reviewed the fire requirements in the past and current subdivision regulations. City Manager Wallace Hunter came forward and stated that when the Planning Commission make changes to the subdivision regulations the developers have ample amount of time to develop once changes have been made. The Department Heads work for the Planning Commission to help keep Subdivision Regulations current and up to date. Phenix City is not stagnant, it has had growth over 6,000 and the City is in the process of doing a census. Phenix City is a city of its own.

At this time Chairman Howard asked if there was a motion to approve or deny. A motion to deny 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 Sims, Member Taylor, and Member Phillips. Nays: None. Abstain: None. Motion thus passed.

The seventh item on the agenda is the Acceptance of Preliminary plat for Shadow Wood Phase V located on the Southern terminus of Shadow Wood Lane – 5B, LLC (Michael Bowden), owner. Due to the previous item being denied this item will be pulled.

The eighth on the agenda is a Public Hearing and Approval of Rezone of 0.53+/- acres of Right-of-Way on Waterworks Road off South Railroad Street from No Zoning to an A-O (Apartment and Office District) for The City of Phenix City, owner. Graduate Engineer Chris Casey reviewed the staff report and maps with the members. 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: December 9, 2021

RE: Rezone 0.53+/- acres located along Waterworks Road

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.

At this time Chairman Howard opened the Public Hearing. Kristen Morgan came forward and stated her concerns about the traffic, crime and property values. With no one else coming forward 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 Sims, Member Taylor, and Member Phillips. Nays: None. Abstain: None. Motion thus passed.

The ninth item on the agenda is a Public Hearing of Rezone for 1.08+/- acres located at 3900 Waterworks Road from an R-2 (Medium Density Residential District) to an A-O (Apartment and Office District) for BFI, LLC (Michael Bowden) owner. Graduate Engineer Chris Casey reviewed the staff report and maps with the members. 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: December 9, 2021

RE: Rezone – 1.08+/- acres located at 3900 Waterworks Road

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.

At this time Chairman Howard opened the Public Hearing. With no one coming forward the Public Hearing was closed. Chairman Howard asked if there was 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: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member Sims, Member Taylor, and Member Phillips. Nays: None. 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 twelfth 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 Johnson, 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 Johnson, Member Lindsey, Member Sims, 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 December 28, 2021.

Chairman – Pat Howard

Secretary – Eliza Phillips

REQUEST FOR WAIVER

NAME OF DEVELOPER (S): 5B, LLC.

NAME OF ENGINEERING FIRM: Barrett-Simpson, Inc.

NAME OF SUBDIVISION: ShadowWood Subdivision, Phase 5

LOCATION OF SUBDIVISION: Southern terminus of Shadow Wood Lane

STATE IN FULL WHY A WAIVER IS BEING REQUESTED:

Article IV, Section 2A of the Phenix City Subdivision Regulations allow for up to 200 lots
for two accesses. The proposed development will consist of 42 single family lots and
provide a second entrance/exit to both ShadowWood and Ivy Creek. This Waiver is being
requested to allow the proposed development without the construction of another
access at this time.

STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON:

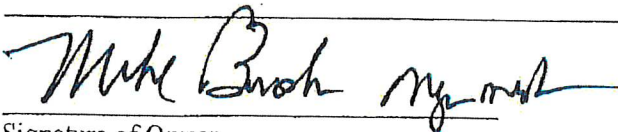
Ivy Creek Subdivision consists of 136 lots with a single entrance. ShadowWood 184
Subdivision consists of 184 lots with a single entrance. The proposed development would
provide both subdivisions with an additional entrance.

LIST ANY ATTACHMENTS TO THIS PETITION:

Overall Development Map

PROVIDE A SHORT EXPLANATION WHY YOU BELIEVE THE WAIVER SHOULD BE APPROVED:

This Waiver should be approved because the proposed development will provide
connectivity between ShadowWood and Ivy Creek subdivisions.



Signature of Owner

11/16/2021

Date



PHENIX CITY

Alabama

DEPARTMENT OF
ENGINEERING / PUBLIC WORKS

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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. 6

Type of Request: Administrative Subdivision

General Information

Applicant:	John Menza Dudley, Jr. and Leslie D. Greene
Surveyor of Record:	McBride & McGill, Inc.
Site Location:	3926 US Hwy. 80W
Acreage:	4.80 +/- acres
Number of Lots:	2
Current Zoning:	None (Planning/Police Jurisdiction)
Current Use of Property:	Commercial
Proposed Use of Property:	Commercial (Lot B is currently a Family Dollar. Use of Lot A will be commercial.)
District:	None
Survey Plat:	Attached
City Services:	Phenix City Water, Sewer

Staff Comments

None

Engineer/Owner Comments

None



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Mayor Pro Tem / At Large

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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: December 17, 2021

RE: Administrative Subdivision – 4.80 +/- acres located at 3926 US Hwy. 80 W

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.