



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, September 13, 2022
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 August 23, 2022 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Administrative Subdivision Replat – 14.64 +/- acres located along the West End of Lee Road 2097 and the West Side of Lee Road 2095, Barry & Sun Cha Fleming, owners.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Public Hearing and Recommendation for Rezone – 9.73 +/- acres located at Gardner Way off of Whiterock Road, South of Hwy 80, Whiterock, LLC, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 8) Old Business
- 9) New Business
- 10) Planning Director Report
 - Downtown Vision Plan
- 11) Adjournment

August 23, 2022

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, August 23, 2022, 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 Recording Secretary Jennifer Lowman to call the roll. Upon roll call, the following members answered present: Vice Chairman Davis, Chairman Howard, Member McKissic, Member Sims, Member Taylor. Members not present: Member Ivy, Member Johnson, Member Lindsey, and Secretary Eliza Phillips

The **second** item on the agenda was the Approval of the Agenda. Member Vice Chairman Davis, made the 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 McKissic, Member Sims and Member Taylor. Nays: None. Abstain: None. Motion thus passed.

The **third** item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Howard asked Recording Secretary Lowman to call roll for the City Employees. The following City Personnel were present in person: City Engineer Angel Moore, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, City Planner Tracie Hadaway, and City Attorney Jimmy Graham and Recording Secretary Jennifer Lowman

The **fourth** item on the agenda was the approval of August 9, 2022 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 Sims, seconded by Member Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member McKissic, Member Sims and Member Taylor. Abstain: None. Motion thus passed.

The **fifth** item on the agenda is Chairman Howard, who set the rules for addressing the Planning Commission.

The **sixth** item on the agenda was an Administrative Subdivision Replat – 2.70 +/- acres located at 535 Lee Road 315, Elizabeth R. Smith, Cornelius Estate, owners. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 18, 2022

Re: Administrative Subdivision Replat – 2.70 +/- acres located 535 Lee road 315, Elizabeth R. Smith Cornelius Estate, owners.

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

A motion to approve was made by Vice Chairman Davis, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member McKissic, Member Sims, and Member Taylor. Abstain: None, Nays: None. Motion thus passed.

The **seventh** item on the agenda was an Acceptance of a Rezone - 9.73 +/- acres located at Gardner Way, off of Whiterock Road, South of Highway 80, Whiterock LLC, owner. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 19, 2022

Re: Acceptance of Rezoning – 9.73 +/- acres located at Gardner Way, off of Whiterock Road, South of Highway 80, Whiterock LLC, owner.

The above-referenced Rezoning Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and meets the minimum requirements for acceptance of the application.

A motion to approve was made by Vice Chairman Davis, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member McKissic, Member Sims, and Member Taylor. Abstain: None, Nays: None. Motion thus passed.

The **eighth** item on the agenda was an Public Hearing and Recommendation of Conditional Use – located at 1325 Broad Street , Rachel Ally, owner. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 19, 2022

Re: Public Hearing and Recommendation of Conditional Use located at 1325 Broad Street, Rachel Ally, owner.

The above-referenced Rezoning Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and meets the minimum requirements the Zoning Ordinance for approval. Chairman Howard opened the Public Hearing. There was no one who spoke at the hearing. Chairman Howard closed the Public Hearing.

A motion to recommend approval was made by Member Sims, 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 McKissic, Member Sims, and Member Taylor. Abstain: None, Nays: None. Motion thus passed.

The ninth item on the agenda was a Public Hearing and Recommendation of Annexation and Pre-zone – 2.2 +/- acres of property located off Highway 280/431 adjacent to Norfolk Southern, D. Scott Lindstrom, owner. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 19, 2022

Re: Public Hearing and Recommendation of an Annexation and Pre-Zone - 2.2+/- acres located off Highway 280/431, Adjacent to Norfolk Southern, D. Scott Lindstrom, owner.

The above-referenced Rezoning Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and meets the minimum requirements the Zoning Ordinance for approval. Chairman Howard opened the Public Hearing. There was no one who spoke at the hearing. Chairman Howard closed the Public Hearing.

A motion to recommend approval was made by Member Sims, 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 McKissic, Member Sims, and Member Taylor. Abstain: None, Nays: None. Motion thus passed.

The tenth item on the agenda was a Waiver Request – 33+/- acres located at 3810 Sanford Road, Tarver Antonio L & Tanisha Miller owners. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 19, 2022

Re: Waiver Request – 33+/- acres located at 3810 Sanford Road, Tarver Antonio L & Tanisha Miller, owners

The above referenced Waiver Request has been reviewed by the Planning, Building, Utilities, Fire and Engineering Departments and does not meet the minimum requirements of the Subdivision Regulations per Article IV, 5B which states that every lot shall abut a dedicated public street. However, this subdivision meets the requirements of a family division as defined in the code of Alabama 1975, Section 11-24-2(d).

A motion to approve the Waiver and Administrative Subdivision was made by Vice Chairman Davis, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member McKissic, Member Sims, and Member Taylor. Abstain: None, Nays: None. Motion thus passed.

The eleventh item on the agenda was Old Business

The twelfth item on the agenda was New Business – Angel Moore – Handed the members a packet regarding the flag lot regulations of the city and surrounding jurisdictions.

The thirteenth item on the agenda was the Planning Director Report – There will be a joint presentation of the Vison Plan September 6, 2022 at 2pm @ the Community Center

The fourteenth item on the agenda was Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Member Sims, seconded by Member McKissic. Upon said being to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member McKissic, 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 September 13, 2022.

Chairman – Pat Howard

Vice Chairman - Jimmy Davis



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:	Barry and Sun Cha Fleming
Surveyor of Record:	McBride & McGill, Inc.
Site Location:	Along the west end of Lee Rd. 2097 and the west side of Lee Rd. 2095
Acreage:	14.64 +/- acres
Number of Lots:	2
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Residential
Proposed Use of Property:	Single Family Residential
District:	None
Survey Plat:	Attached
City Services:	None

Staff Comments

None

Engineer/Owner Comments

None



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MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: September 8, 2022

RE: Administrative Subdivision – 14.64 +/- acres located along the west end of Lee Rd. 2097 and the west side of Lee Rd. 2095

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

Planning Commission Staff Report

Date of Planning Commission: Acceptance of application on August 23, 2022; Planning Commission Public Hearing and Recommendation on September 13, 2022

Project: Summer Vineyard, Phase III

Applicant: Whiterock, LLC

Property Owner: Whiterock, LLC

Location of Property: Gardner Way, off of Whiterock Road. South of Highway 80

Zoning Request: R-2 (Medium Density Residential) to R-3 (High Density Residential)

Project Request: The applicant request to develop the remaining lots of Summer Vineyard under the R-3 zoning guidelines. The required minimum lot width in an R-3 zoning district is 50', the minimum lot width in an R-2 zoning district is currently 60'.

Background: The Planning Commission approved a Preliminary Plat for Summer Vineyard Subdivision Phase III on **September 22, 2009**. The City of Phenix City amended the Zoning Ordinance in May 2012 and July 2014 increasing the lot width for the R-2 zoning district (Medium Density Residential, Patio Garden Homes) from 50' to 60'.

Subdivision Regulations also allowed one 24-month extension of an existing Preliminary Plat. Once a Preliminary Plat has been granted one extension, the Preliminary Plat expires after the extended time period.

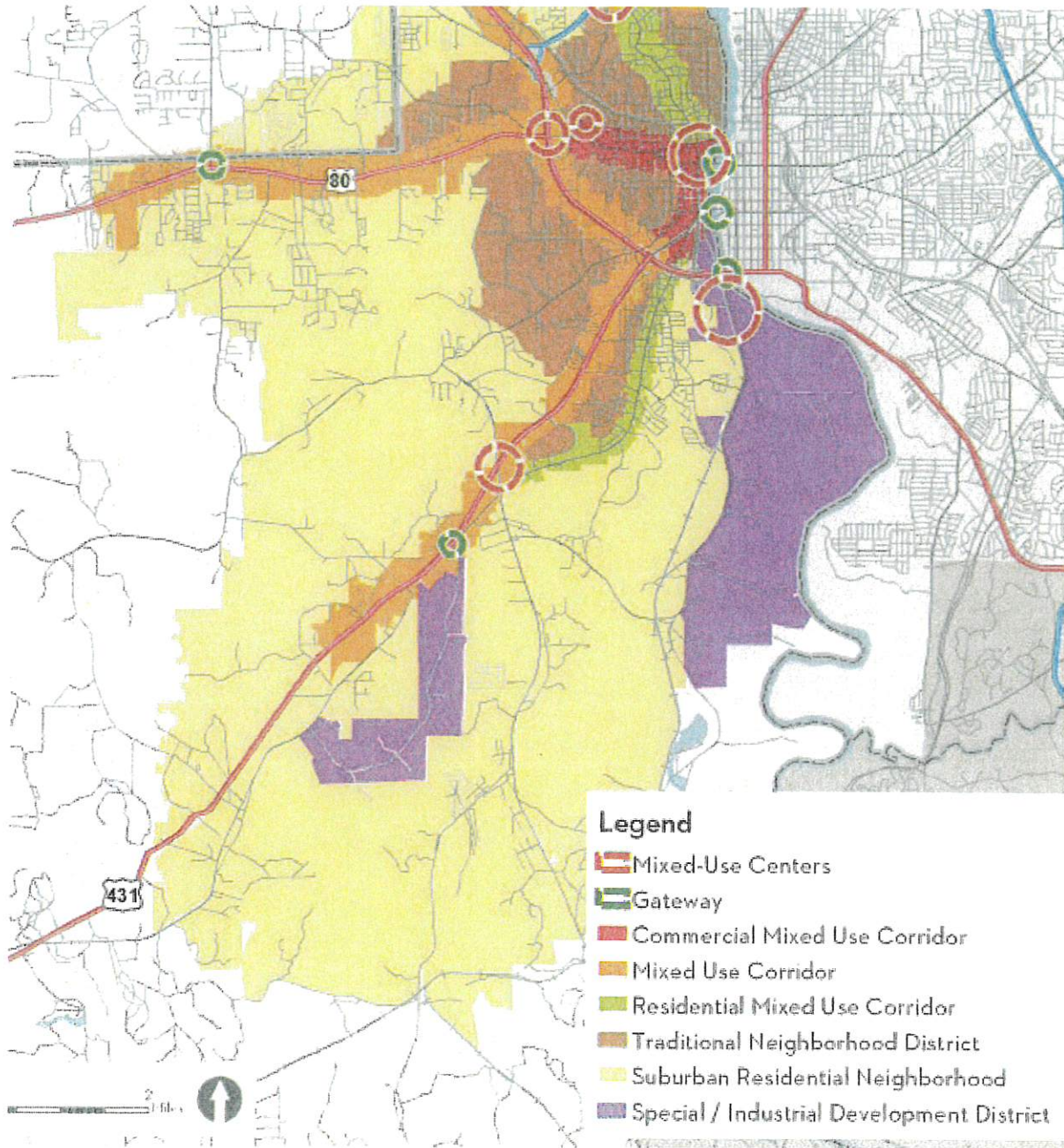
A final time extension for Summer Vineyard Subdivision was granted on **May 23, 2017** and **expired on June 14, 2019**. Therefore, this uncompleted portion on Phase III is required to meet current Zoning Ordinance and Subdivision Regulations.

The applicant applied to the BOZA board for a variance to the minimum lot width requirements. On **January 20, 2022**, the BOZA board denied the variance.

Zoning and Land Use:

Location	Current Zoning Classification	Existing Land Use	Future Land Use Map
Subject Property	R-2	Vacant	Suburban Residential Neighborhood
North of Subject Property	R-2, Unincorporated	Residential	Mixed-Use Corridor
East of Subject Property	Unincorporated	Residential	Suburban Residential Neighborhood
South of Subject Property	Unincorporated	Residential	Suburban Residential Neighborhood
West of Subject Property	R-2	Residential	Suburban Residential Neighborhood

Future Land Use Map:



Conformance with Comprehensive Plan:

Suburban Residential Neighborhood: Are districts that have been developed over the past twenty-to-thirty years in the form of suburban subdivisions and neighborhoods. These developments are typically more separated with undeveloped areas between them and have an internal street network. Within this district, housing is constructed on larger lots and typically the further away from downtown the neighborhood is located the larger the lot becomes.

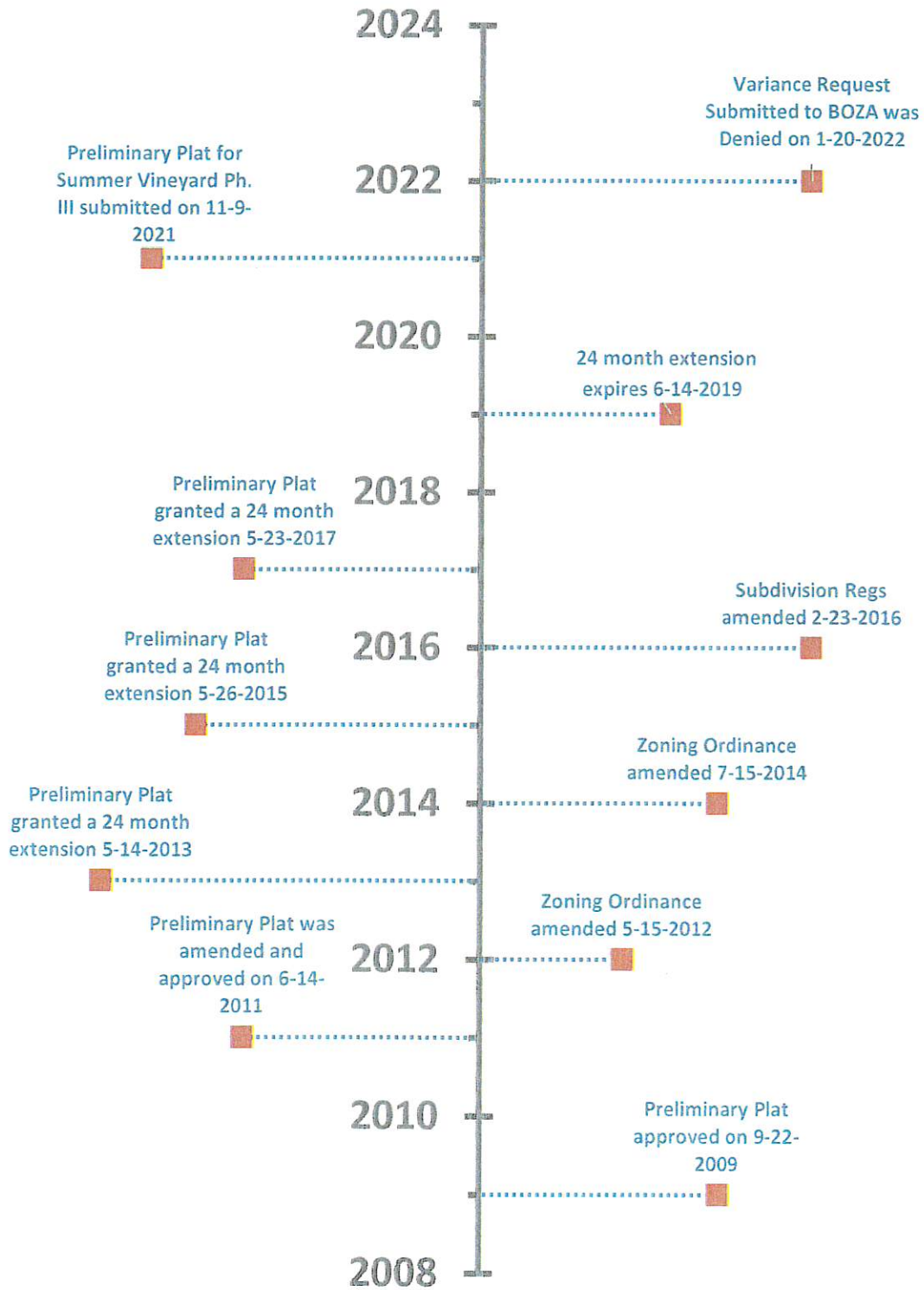
Mixed Use Corridor: in the community, such as US-80, US 280/431 and Riverchase Drive, are based on higher traffic counts and larger development patterns that support regional commercial activity and uses. Land use along these corridors is composed of large and multi-parcel developments such as retail centers and strip commercial centers. In some locations, there still might be a single-family residential component from when the corridor was not as heavily developed. Future residential uses along the corridor should be multi-family developments and small lot, higher density, single-family residential subdivisions located on collector roads off of the main corridor arterial road.

This parcel is located in the Suburban Residential District and is accessed by local roads.

Zoning Compliance: The purpose of an R-3 district is to provide and preserve land that is and can be used for the construction of multi-family dwelling units. These Districts should have access to services and facilities appropriate for higher density residential.

The property in question is directly accessed by local roads which are not designed to serve multi-family dwelling units.

Summer Vineyard Timeline



Petition For Rezone

(Please Print or Type Information Clearly)

Names of Property Owners of Land to be Rezoned:

- 1.) Whiterock, LLC
- 2.)

Address of Property Owners of Land to be Rezoned:

- 1.) 701 13th Street, Phenix City, AL 36867
- 2.)

Telephone Numbers of all Property Owners:

- 1.) (334) 297-7777
- 2.) ()

Email Address of all Property Owners: mbowden7@aol.com

Specific Location and Addresses of Property to be Rezoned:

Gardner Way, off of Whiterock Road. South of Highway 80

Size (Acres) of Property to be Rezoned:

9.73 acres +/-

Current Zoning Classification of Property to be Rezoned:

R-2 (patio Garden)

Requested Zoning of Property to be Rezoned:

R-3

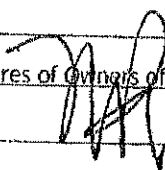
Present Zoning Classification of Adjacent Property:

R-2 & not zoned (as shown on plat)

Proposed Use of Property:

residential subdivision

Signatures of Owners of Property to be Rezoned:

- 1.) 
- 2.)

PHENIX CITY

Alabama

PLANNING DEPARTMENT

931 Broad Street | Phenix City, AL 36867 | Ph: 334-448-2856 | Fx: 334-448-9022 | phenixcityal.us/edo

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MEMORANDUM

To: Planning Commission

From: Tracie Hadaway, Planning Director

Date: September 9, 2022

RE: Rezoning Application for Summer Vineyard Subdivision Phase III

The above referenced application for a rezoning request has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and does not conform to the Phenix City Comprehensive Plan and Future Land Use map or the Phenix City Zoning Ordinance.