



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, November 8, 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) Approval of the October 25, 2022 Meeting Minutes
- 6) Rules for Addressing Planning Commission
- 7) Acceptance of Annexation Request – 3.95+/- acres located at 3743 Highway 431 North, Phenix City, Two-Eighty Phenix, LLC, owner
 - Staff Report
 - Developer's Comments
 - Department Memo
- 8) Old Business
- 9) New Business
- 10) Planning Director Report
- 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 Sanfort 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 Sanfort 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

October 25, 2022

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, October 25, 2022, at 5:15 PM EST in the Martin Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama.

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

The **second** item on the agenda was the Approval of the Agenda. Member Davis, made the motion to approve, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Howard, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips. Nays: None. Abstain: None. Motion thus passed.

The **third** item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Sims asked Secretary Eliza Phillips to call roll for the City Employees. The following City Personnel were present in person: City Engineer Angel Moore, Asst. Director of Engineering Mike Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, Planner Terry Curry, and City Attorney Jim McKoon, City Manager Wallace B. Hunter and Recording Secretary Jennifer Lowman.

The **fourth** item on the agenda was the approval of August 23, 2022 minutes. Chairman Sims stated there were not enough members present to erase and approve August 23rd meeting minutes. Those minutes will have to be approved at the next meeting.

The **fifth** item on the agenda was the approval of October 11, 2022 minutes. Chairman Sims asked if there was a motion to approve the written minutes and remove the recorded minutes. A motion to approve was made by Member Davis, seconded by Member Lindsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Howard, Member Ivy, Member Lindsay, Chairman Sims, Vice Chairman Taylor, Member Phillips. Abstain: Motion thus passed.

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

Member Johnson attended at 5:18

The **seventh** item on the agenda was a Public Hearing and Recommendation of Conditional Use Application – 1521 5th Avenue, Stephen R. Watkins, owner. City Engineer, Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Eliza Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date October 20, 2022

Re: Public Hearing and Recommendation of Conditional Use Application – 1521 5th Avenue, Phenix City, Alabama.

The above-referenced Conditional Use Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and meets the minimum requirements of the Zoning Ordinance for approval.

Chairman Sims opened the Public Hearing. Chairman Sims asked the applicant Stephen R. Watkin if he was purchasing or leasing the building. Mr. Watkins stated he was leasing.

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

The **eighth** item on the agenda was Old Business. There was no old business to discuss.

The **ninth** item on the agenda was New Business. There was no new business to discuss.

The **tenth** item on the agenda was the Planning Director Report- There was no report.

The **eleventh** item on the agenda was Adjournment. Chairman Sims asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy, seconded by Member Johnson. Upon said being to a vote, the following vote was recorded: Yeas: Member Davis, Member Howard, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor, 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 8, 2022.

Chairman – Billy Sims

Secretary – Eliza Phillips



PHENIX CITY *Alabama*

PLANNING DEPARTMENT

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

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

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

Staff Report No.	Agenda Item # 7
Date of Planning Commission	November 8, 2022
Type of Request:	Annexation and Pre-Zone
Applicant:	Shree Singh, Two-Eighty Phenix, LLC
Site Location:	3743 Highway 431 North, Phenix City, AL 36867
Current Zoning:	No zoning district
Acreage:	+/- 3.95 Acres
Proposed Zoning District:	C-4, Highway Commercial District
District:	This will be City Council District 1, if annexed.
Survey Plat:	Attached, Tract 2
City Services:	Adjacent tracts have Phenix City Water, Sewer, Fire, Police
Additional Information:	See Attached Staff Report
Engineer and or Owner Comment(s):	None

Staff Report

Date: November 9, 2022

Request: Application to Annexation a +/-3.95 acre tract and pre-zone to C-4

This is a 3.95+/- acre tract of land located on Highway 280, between IHOP and Shield of Faith Church. The applicant request to annex the property and zone the property as a C-4 Zone (Highway Commercial District).

Other comments:

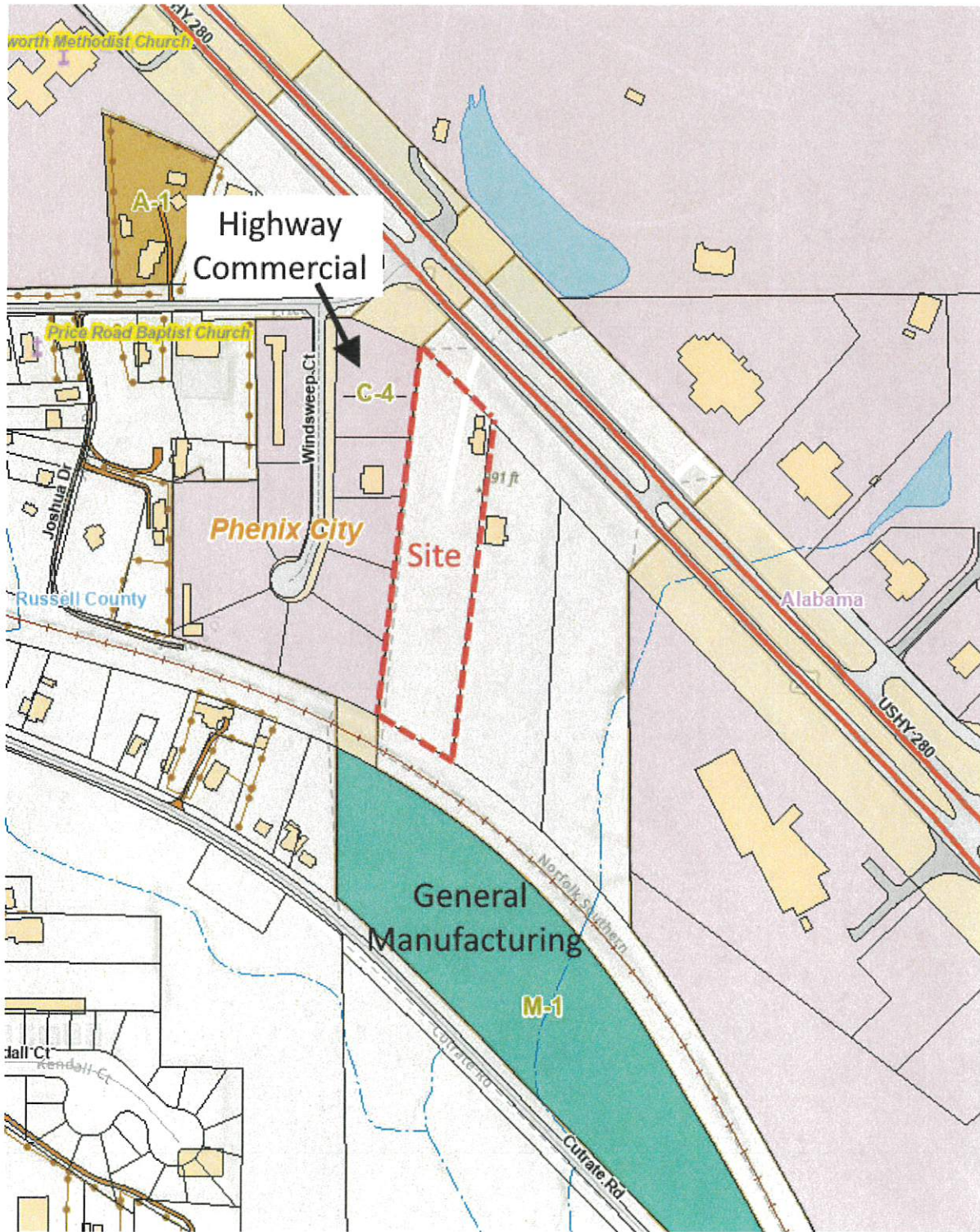
Building Department: Adjoining property is C-4. If a hotel or motel is planned they will have to go through Conditional Use process per zoning.

Fire Department: Any construction will have to meet the 2018 international fire code.

Planning Department: Based on the Future Land Use Map, this area is identified as in the Mixed-corridors. The intent of the mixed-use corridors in the community, such as US-80, US-280/431 and Riverchase Drive, are based on higher traffics counts and larger development patterns that support regional commercial activity and uses. Land uses along these corridors is composed of large and multi-parcel developments such as retail centers and strip commercial centers.

An important transportation related activity that should occur within these corridors is access management. The USHighway-280/431 corridor within Phenix City and provides major economic opportunities. This corridor should be revitalized with more compatibility of land uses, improved signage, landscaping, lights, etc. Access management should be a high priority along this corridor to improve the function and flow of major intersections along the corridor.

Zoning Map:

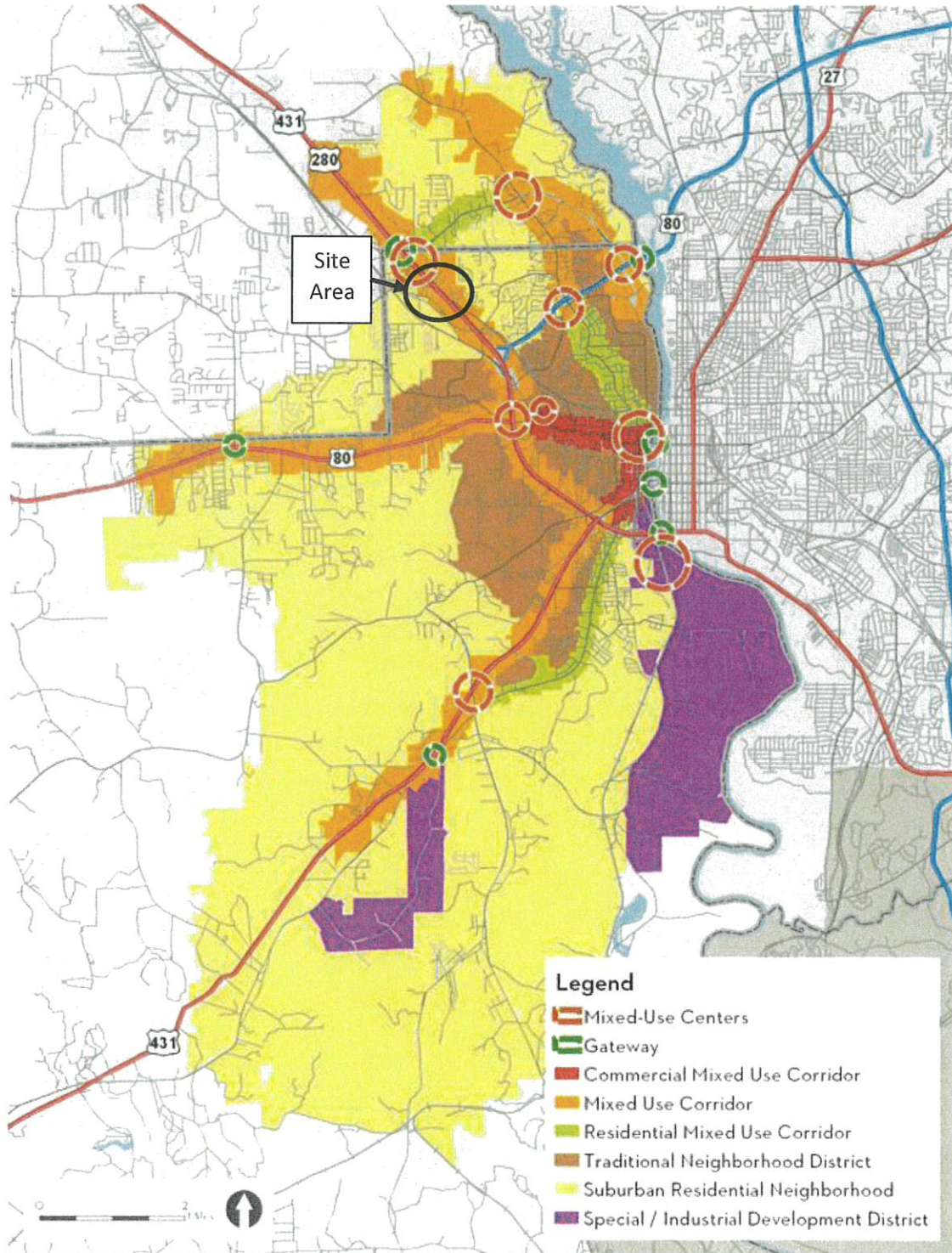


Aerial Map:



Future Land Use :

FIGURE 2 - FUTURE LAND USE





PETITION FOR ANNEXATION
Engineering/Public Works Department
 1111-B Broad Street
 Phenix City, AL 36867
 334-448-2760

City of Phenix City

Ordinance No. _____

Applicant Name: <u>Two-Eighty Phenix, LLC</u>	Subdivision Name: <u>N/A</u>
Mailing Address: <u>2605 Stonybrook Rd.</u>	Area: <u>N/A</u>
<u>Opelika, AL 36804</u>	Phone Number: <u>334-207-9706</u>
Email Address: <u>shreesingh03@gmail.com</u>	
Current Address Assigned to Property: <u>3743 Highway 431 North, Phenix City, AL 36867</u>	

APPLICANT MUST ATTACH DEED(S) & TAX RECEIPT COVERING THE ENTIRE SUBJECT PROPERTY. ALL METES & BOUNDS DESCRIPTIONS & LIST OF ADJOINING PROPERTY OWNERS & ADDRESSES MUST BE SUPPLIED.

OWNERSHIP CONFIGURATION:

- Single Parcel/Single Ownership Multiple Parcels/Single Ownership
 Single Parcel/Multiple Ownership Multiple Parcels/Multiple Ownership

THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPARTMENT AND BUREAU OF THE CENSUS.

Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation.

- Is this property your principal residence? Yes No (If "Yes," answer part B)
 - Applicant's Marital Status: Single Married Separated Divorced Widowed
- Total number of buildings on subject property: 1
 Number of Houses _____ Number of Manufactured Homes 1 Other _____
 - Number of persons living on subject property: N/A
 - Of all persons residing on the property, how many are of voting age (18 years or older)? N/A
 - Of all persons residing on the property, how many are:
 White N/A African American _____ Hispanic _____ Asian/Pacific Islander _____
 American Indian/Eskimo/Aleut _____ Other _____
 - Number of children in household: N/A Ages: _____
 - Proposed Use of Property (if any): Proposed Gas Station/Restaurant

GENERAL DESCRIPTION OF PROPERTY (Include acreage, subdivision name, lot number, etc.):

+/- 3.95 Acres on HWY 280, between IHOP and Shield of Faith Church

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT SIGNATURE: _____

APPLICANT'S NAME (Please Print): Shree Singh

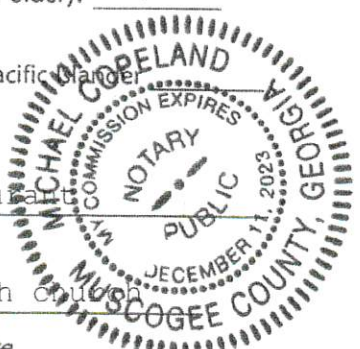
DATE: 09/28/22

I, Michael Copeland, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Shree R Singh, as owner of above described property and whose name is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that being informed of the authority, executed the same voluntarily.

Given under my hand and seal on this the 28 day of September, 2022.

Michael Copeland
 Notary Public

My Commission Expires: Dec. 11, 2023



PETITION FOR ANNEXATION & PRE-ZONE

To the City of Phenix City, Alabama:

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City Manager this written petition asking and requesting that our property as described be annexed to the City of Phenix City, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Alabama 1975.

Initials _____ SK

We further certify that said property is contiguous to the city limits of the City of Phenix City, Alabama and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the preceding description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by §11-42-21, Code of Alabama 1975. A map and written legal description of said property is attached.

Initials _____ SK

We, the undersigned, fully understand that some municipal services, including water and sanitary sewer, may not be available to the subject property upon annexation and that said services may be extended or otherwise made available at the option of the City of Phenix City, Alabama. We also understand that the subject property lies within the Phenix City utility jurisdiction and furthermore understand that the City cannot extend said services into another utility jurisdiction.

Initials _____ SK

Furthermore, we certify that we understand fully that, following annexation, the subject property shall be subject to all laws and codes administered by the City of Phenix City, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Phenix City.

Initials _____ SK

We do hereby request that the City Council and City Manager give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Phenix City, Alabama shall be rearranged so as to include such territory. We also request that the property be in voting district 1 and pre-zoned C4.

Initials _____ SK

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 28th day of September, 2022.

Names and signatures of ALL property owners:

Signature: _____

Print Name: SHREE R SINGH

Two. Eighty Phenix LLC

Signature: _____

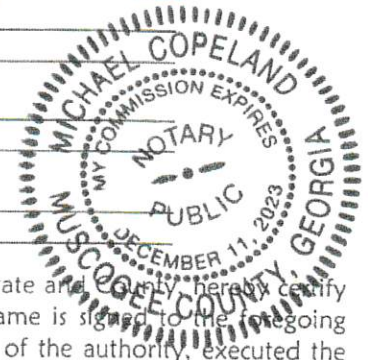
Print Name: _____

Signature: _____

Print Name: _____

Signature: _____

Print Name: _____



I, Michael Copeland, the undersigned authority, a Notary Public in and for said State and County hereby certify that Shree R Singh, as owner of above described property and whose name is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that being informed of the authority, executed the same voluntarily.

Given under my hand and seal on this the 28 day of September, 2022.

Michael Copeland
Notary Public

My Commission Expires: Dec. 11, 2023

Deed & Tax Receipt Attached? _____

Metes & Bounds Description Supplied? _____

List of Adjoining Property Owners & Addresses Attached? _____

Note: If the property contains a structure and is located in Lee County, a fee of \$250 must be paid by the applicant prior to submission of this application to the City Council.



PHENIX CITY

Alabama

PLANNING DEPARTMENT

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

MEMORANDUM

To: Planning Commission
From: Tracie Hadaway, *THH* Planning Director
Date: November 4, 2022
RE: Annexation, Pre-zone: Highway 280, adjacent to IHOP

The above Annexation Application and pre-zone request to C-4 (Highway Corridor) has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for acceptance.