



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, December 27, 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 December 13, 2022 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Approval of Administrative Subdivision – 2.51+/- acres located at 3953 US Hwy 80, Stadium Drive, LLC, owner
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Old Business
- 8) New Business
- 9) Planning Director Report
- 10) Adjournment

December 13, 2022

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, December 13, 2022, at 5:15 PM EST in the Martin Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama.

Vice Chairman Taylor 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 McKissic, Vice Chairman Taylor, and Member Phillips. Members not present: Member Lindsey, Chairman Sims.

The **second** item on the agenda was the Approval of the Agenda. Member Johnson, 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 Johnson, Member McKissic, 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. Vice Chairman Taylor asked Secretary Eliza Phillips to call roll for the City Employees. The following City Personnel were present in person: City Councilmember Vickey Carter Johnson, Asst. Director of Engineering Mike Pattillo, Utilities Director Charles Woody, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, City Planner Tracie Hadaway, Planner Terry Curry, City Attorney Jimmy Graham, and Recording Secretary Jennifer Lowman.

The **fourth** item on the agenda was the approval of November 22, 2022 minutes. Vice Chairman Taylor asked if there was a motion to approve the written minutes and remove the recorded minutes Member Johnson made the motion to approve, seconded by Member Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Howard, Member Ivy, Member McKissic, Vice Chairman Taylor and Member Phillips. Nays: None. Abstain: Member Howard and Member McKissic None. Motion thus passed

The **fifth** item on the agenda was Vice Chairman Taylor, who set the rules for addressing the Planning Commission.

The **sixth** item on the agenda was Public Hearing and Recommendation for Text Amendments – to Zoning Ordinance for the Side Yard Setbacks. City Planner Tracie Hadaway reviewed the staff report with the members. *Vice Chairman Taylor opened the Public Hearing- There was no one present to speak. The Public hearing was closed.* Vice Chairman Taylor asked Secretary Eliza Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date December 9, 2022

Re: Side Yard Setbacks in R-2 and R-3 for Patio Home Option

The above approval-referenced recommendation for approval of the Side Yard Setback has been reviewed by the Planning, Building, and Engineering Department staff and is recommended for approval.

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

The **seventh** item on the agenda was Public Hearing and Recommendation for Text Amendments – to Zoning Ordinance for the Medical Cannabis Dispensaries. City Planner Tracie Hadaway reviewed the staff report with the members. *Vice Chairman Taylor opened the Public Hearing- There was no one present to speak. The Public hearing was closed.* Vice Chairman Taylor asked Secretary Eliza Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date December 9, 2022

Re: Medical Cannabis Dispensaries

The above approval-referenced recommendation for approval of the Medical Cannabis Dispensary has been reviewed by the Planning, and Public Safety staff and is recommended for approval.

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

The **eighth** item on the agenda was an Approval of Administrative Subdivision –0.24+/- acres located along the Southeast Corner of 13th Ave. and 17th Street, Robert H. Gunter, owner. Planning Director Tracie Hadaway reviewed the staff report with the members. Vice Chairman Taylor asked Member Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: December 9, 2022

Re: Approval of Administrative Subdivision—0.24+/- acres located along the Southeast Corner of 13th Ave. and 17th Street, Robert H. Gunter, owner

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

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

The **ninth** item on the agenda was an Approval of Administrative Subdivision – 2.94+/- acres located along Crosswinds Dr., Altera Phenix City Shops, LLC, owner. ATTN: Patrick Denney. Planning Director Tracie Hadaway reviewed the staff report with the members. Vice Chairman Taylor asked Member Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: December 9, 2022

Re: Approval of Administrative Subdivision – 2.94+/- acres located along Crosswinds Dr., Altera Phenix City Shops, LLC, owner. ATTN: Patrick Denney.

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

A motion to approve was made by, Member Davis, 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 Johnson, Member McKissic, Vice Chairman Taylor and Member Phillips. Abstain: None, Nays: None. Motion thus passed.

The **tenth** item on the agenda was a Waiver Request – 14.5+/- acres located at 1669 Pierce Road, Rebecca, Russell & Maggie Slappey, owners. Planning Director Tracie Hadaway reviewed the staff report with the members. Vice Chairman Taylor asked Member Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: December 9, 2022

Re: Waiver Request – 14.5+/- acres located at 1669 Pierce Road, Rebecca, Russell & Maggie Slappey, 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 was made by, Member Davis, 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 Johnson, Member McKissic, Vice Chairman Taylor and Member Phillips. Abstain: None, Nays: None. Motion thus passed.

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

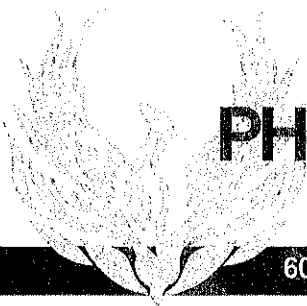
The **twelfth** item on the agenda was New Business. There was no old business to discuss

The **thirteenth** item on the agenda was the Planning Director Report- City Planner Tracie Hadaway reminded the Planning Commission Members on January 10th after the meeting well be having the vision session and Public Hearing for Comprehensive Plan.

The **fourteenth** item on the agenda was Adjournment. Vice Chairman Taylor asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy, seconded by Member Howard. Upon said motion being to a vote, the following vote was recorded: Yeas: Member Davis, Member Howard, Member Ivy, Member Johnson, Member McKissic, 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 December 27, 2022.

Chairman – Billy Sims

Secretary – Eliza Phillips



PHENIX CITY *Alabama*

DEPARTMENT OF
ENGINEERING / PUBLIC WORKS

601 12th Street | Phenix City, AL 36867 | Ph: 334-448-2760 | Fx: 334-291-4848 | phenixcityal.us

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:	Stadium Divine, LLC (c/o Frank Moody)
Surveyor of Record:	McBride & McGill Inc.
Site Location:	3953 US Hwy 80, Phenix City, AL 36869
Acreage:	2.51 +/-
Proposed Number of Lots:	2
Current Zoning:	No zoning classification
Current Use of Property:	Commercial
Proposed Use of Property:	Commercial
District:	Planning Jurisdiction
Survey Plat:	Attached
City Services:	City of Phenix City does not provide any services

Staff Comments

None

Engineer/Owner Comments

None

PETITION FOR REPLAT

(PLEASE PRINT OR TYPE INFORMATION CLEARLY)

NAMES OF PROPERTY OWNERS OF LAND TO BE REPLATED:

- 1.) Stadium Drive, LLC (c/o Frank Moody)
2.)

ADDRESS OF PROPERTY OWNERS OF LAND TO BE REPLATED:

- 1.) P.O. Box 926, Dunn, NC 28335
2.)

TELEPHONE NUMBER OF PROPERTY OWNERS OF LAND TO BE REPLATED:

- 1.) (910) 892-5746 x1
2.) ()

EMAIL ADDRESS OF PROPERTY OWNERS OF LAND TO BE REPLATED:

frankmoody@lbrinc.net

SPECIFIC LOCATION AND ADDRESS OF PROPERTY TO BE REPLATED:

3963 US Hwy 80, Phenix City, AL 36869

SIZE (ACRES) OF PROPERTY TO BE REPLATED:

2.51

CURRENT ZONING CLASSIFICATION OF PROPERTY TO BE REPLATED:

Planning Only

CURRENT ZONING CLASSIFICATION OF ADJACENT PROPERTY:

Planning Only

PROPOSED USE OF PROPERTY TO BE REPLATED:

Commercial

REASON OR JUSTIFICATION FOR REPLATING PROPERTY:

Replat off storage buildings from main building

SIGNATURE OF OWNERS OF PROPERTY TO BE REPLATED:

- 1.) *Frank Moody* 2.)

(DO NOT WRITE BELOW THIS LINE)

FEES: \$100.00 FILING FEE TOTAL AMOUNT DUE \$

CASH CHECK

COLLECTED BY:

ADMINISTRATIVE SUBDIVISION

"Revised Parcel A Replat"

OWNER(s): Stadium Drive, LLC
c/o Frank Moody
P.O. Box 926
Dunn, NC 28335

PROPERTY INFO: 3953 US Hwy 80 West
Parcel No(s). 57 04 06 14 1 003 030.000

LEGAL DESCRIPTION

A parcel or tract of land known as **REVISED PARCEL A** as shown on a survey titled "REVISED REPLAT FOR STEVE KENNON", lying in Section 14, Township 17 North, Range 29 East, Russell County, Alabama, containing 2.51 acres, more or less, and being more particularly described as follows:

COMMENCING at the intersection of the easterly right-of-way of Wagon Trail Drive and the southerly right-of-way of U.S. Highway 80, thence following along said right-of-way of U.S. Highway 80 South 71°12'43" East a distance of 75.17 feet to a point; thence continuing along said right-of-way following a curve to the right an arc length of 67.74 feet having a radius of 2804.59 feet, with a chord bearing North 73°20'09" East a chord distance of 67.73 feet, to an iron and the POINT OF BEGINNING; thence continuing along said right-of-way following a curve to the right an arc length of 204.05 feet having a radius of 2842.81 feet, with a chord bearing North 75°57'30" East a chord distance of 204.00 feet, to an iron; thence continuing along said right-of-way following a curve to the right an arc length of 171.99 feet having a radius of 2842.81 feet, with a chord bearing North 79°44'52" East a chord distance of 171.96 feet, to an iron; thence leaving said right-of-way South 01°32'51" East a distance of 148.37 feet to an iron; thence South 00°50'54" West a distance of 100.95 feet to an iron; thence South 00°24'31" West a distance of 23.57 feet to an iron; thence South 70°32'31" West a distance of 232.58 feet to an iron; thence South 70°32'57" West a distance of 203.60 feet to an iron located on the aforementioned easterly right-of-way of Wagon Trail Drive; thence along said right-of-way of Wagon Trail Drive following a curve to the left an arc length of 47.83 feet having a radius of 427.23 feet, with a chord bearing North 14°26'46" West a chord distance of 47.81 feet, to a point; thence continuing along said right-of-way North 18°28'46" West a distance of 15.82 feet to an iron; thence leaving said right-of-way North 71°31'14" East a distance of 30.00 feet to an iron; thence North 18°28'46" West a distance of 30.00 feet to an iron; thence North 71°31'14" East a distance of 104.14 feet to an iron; thence North 16°04'52" West a distance of 214.10 feet to the POINT OF BEGINNING.

Prepared by:
Registered Professionals in Georgia
& Alabama



McBride & McGill Inc
Land Surveying & Civil Engineering

2505 Crawford Road
Phenix City, AL 36867
(334) 297-5717
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TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: December 27, 2022

RE: Administrative Subdivision – +/-2.51 3953 US Hwy 80, Phenix City, AL 36869

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.