



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, JUNE 25, 2024
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 June 11, 2024 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Public Hearing & Recommendation of De-Annexation – 0.95+/- acres located at 1515 Lee Road 427 Apt A & B – Jimmie Piland, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 7) Recommendation of Waiver – 0.69+/- acres located on Dogwood Drive (Westside Place) – Rex Stroud, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 8) Approval of Administrative Subdivision – 0.69+/- acres located on Dogwood Drive (Westside Place) – Rex Stroud, owner.
 - Staff Report
 - Developer's Comments
 - Department Memo
- 9) Old Business
- 10) New Business
- 11) Adjournment

June 11, 2024

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, June 11, 2024, at 5:15 PM EST in the Council Chambers at the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama.

Chairman Sims called the meeting to order and asked Secretary Phillips-Wyatt to call the roll. Upon roll call, the following members answered present: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Member Carter was not present.

The second item on the agenda was the Approval of the Agenda. Member Ivy made the motion to approve, seconded by Member McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. 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 Phillips-Wyatt to call roll for the City Employees. The following City Personnel were present in person. City Engineer/Public Works Director Angel Moore, Assistant Director of Engineering Michael Pattillo, Civil Engineer/PE Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director John Spraggins, Chief Building Official Ray Rogers, Fire Chief Kris Kennedy, Public Safety Director Ray Smith, Economic Development Manager Shaun Culligan, City Manager Wallace B. Hunter, Assistant City Manager Chan Gamble, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of May 28, 2024 minutes. Chairman Sims asked if there was a motion to approve the written minutes and remove the recorded minutes. Member Davis made the motion to approve, seconded by Member McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed.

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

The sixth item on the agenda was the Approval of Administrative Subdivision of 1.26+/- acres located at 226 Lee Road 450 – Van & Lisa Ellison, owners. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

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

Date: June 7, 2024

RE: Administrative Subdivision – 1.26+/- acres located at 226 Lee Rd 450

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

Member Ivy made the motion to approve, seconded by Member McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey,

Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The seventh item on the agenda was the Acceptance of De-Annexation of 0.95+/- acres located at 1515 Lee Road 427 Apts A & B – Jimmie Piland, owner. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Mr. Billy Benton came forward to represent the owner. Mr. Piland is having trouble with the garbage pick-up due to all owners around him are Lee County garbage service. Mr. Piland has a water well and is on a septic tank. Short discussion followed. Utilities Director John Spraggins came forward and stated that the property does have a usable water service line and with the current resolution it requires duplexes in city limits to use those services. If the property is de-annexed any future residents would not be able to use city services; would have to go through the annexation process to use city services again. Therefore the city would not recommend de-annexing the property. The garbage issues started after the deactivation of the property water services which closed the account along with the garbage service. Assistant City Manager Chan Gamble stated that the property owner had service up until June 2023 when he discontinued water service. Mr. Piland did pay the minimum water fees and there was no water usage on the account and had trash service up until June 2023. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

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

Date: June 7, 2024

RE: De-annexation – 0.95+/- acres located at 1515 Lee Rd 427 Apts. A & B

The above referenced application for de-annexation has been reviewed by the Building, Utilities, Fire, and Engineering Departments. Based on Resolution 2020-275, it states that the only exceptions for access to City services for properties outside the corporate City limits are for single family residential or non-commercial facilities. Therefore it is the recommendation of City staff that this property not be de-annexed from the corporate City limits.

Member McKissic made the motion to accept, seconded by Vice Chairman Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The eighth item on the agenda was Public Hearing and Recommendation of Rezone – 30.36+/- acres located at 300 Colin Powell Parkway – Sierra Pacific Industries, Inc., owner. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

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

Date: June 7, 2024

RE: Rezone – 30.36+/- acres located at 300 Colin Powell Parkway

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.

Member Davis made a motion to approve, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member

McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The ninth item on the agenda was the Approval of Administrative Subdivision – 111.17+/- acres located at 300 Colin Powell Parkway – Sierra Pacific Industries, Inc & City of Phenix City, owners. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members.

Memo

To: Planning Commission

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

Date: June 7, 2024

RE: Administrative Subdivision – 111.17+/- acres located at 300 Colin Powell Pkwy

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

Member Ivy made the motion to approved contingent upon City Council's approval of the current rezone application, seconded by Member Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The tenth item on the agenda was Approval of Final Plat – 11.79+/- acres located along Hwy 280/431N – Lindstrom & Company, LLC (Scott Lindstrom), owner. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

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

Date: June 7, 2024

RE: Administrative Subdivision – 11.79+/- acres located along Hwy 280/431N

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

Member Ivy made the motion to approve contingent upon the punch list for the sanitary sewer infrastructure being completed, seconded by Vice Chairman Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The eleventh item on the agenda was Old Business. None

The twelfth item on the agenda was New Business. None

The thirteenth 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 Vice Chairman Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. 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 June 25, 2024.

Chairman – Billy Sims

Secretary – Eliza Phillips-Wyatt



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

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY F. CARTER
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

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

Item No. 6

Type of Request: De-Annexation

General Information

Applicant: Jimmie Piland
Site Location: 1515 Lee Rd. 427 Apts. A & B
Acreage: 0.95 +/- acres
Number of Lots: 1
Current Zoning: R-2 (Medium Density Residential)
Current Use of Property: Duplex
Proposed Use of Property: Same
District: One (1)
Survey Plat: Attached
City Services: Phenix City Water, Fire, Police

Staff Comments

None

Engineer/Owner Comments

None



Petition Information for De-Annexation

Applicant Name: Jimmie Piland

Mailing Address: 5503 Springfield Court, Phenix City, AL 36867

Phone Number: 334-297-7743

Email Address: _____

Current Property Address: 1515 Lee Rd 427 Apt A&B Phenix City, AL 36867

Reason for requesting De-Annexation: Problems with sanitation collection

Documents to be submitted for De-Annexation:

- \$100 filing fee
- Petition for De-Annexation Prepared by an Attorney (example attached)
- Proof of ownership (deed or current tax assessment)
- Legal Description (on paper and electronic copy)
- Adjoining Property Owners Names and Addresses (on paper and electronic copy)
- Map of Property to be De-Annexed



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
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VICKEY F. CARTER
Councilmember District 2

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Councilmember District 3

WALLACE B. HUNTER, City Manager
SHANNON DAVIS, City Clerk
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: June 20, 2024
RE: De-annexation – 0.95 +/- acres located at 1515 Lee Rd. 427 Apts. A & B

The above referenced application for de-annexation has been reviewed by the Building, Utilities, Fire, and Engineering Departments. Based on Resolution 2020-275, it states that the only exceptions for access to City services for properties outside the corporate City limits are for single family residential or non-commercial facilities. Therefore it is the recommendation of City staff that this property not be de-annexed from the corporate City limits.



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

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Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY F. CARTER
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

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

Item No. 7

Type of Request: Waiver Request

General Information

Applicant:	Rex Stroud
Surveyor of Record:	Barrett-Simpson, Inc.
Site Location:	Along Dogwood Dr. (Westside Pl.)
Acreage:	0.69 +/- acres
Number of Lots:	From 2 lots to 1 lot
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Residential (4 existing homes)
Proposed Use of Property:	Same
District:	None
Survey Plat:	Attached
City Services:	Police Jurisdiction

Staff Comments

None.

Engineer/Owner Comments

None.



Rec'd
6-17-24
2:29 pm

REQUEST FOR WAIVER

NAME OF DEVELOPER(S): Rex Stroud

NAME OF ENGINEERING FIRM: N/A

EMAIL ADDRESS OF OWNER: stroudconstruction@gmail.com
Property division for Rex Stroud

NAME OF SUBDIVISION: Lots 19 & 20, Block C, Mobile Home Estates, Section Three

LOCATION OF SUBDIVISION: Dogwood Drive (Tax ID# 57 04 06 14 3 002 001.032)

STATE IN FULL WHY A WAIVER IS BEING REQUESTED:

Residences are already constructed. Residences were built outside the required setbacks due to excess grade changes made for installation of on-site septic system preventing residences from being located within the building setbacks.

STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON:

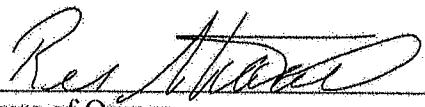
A 10' reduction in front setback along Dogwood Drive, reducing the required 30' front setback to a 20' front setback; A 20' reduction in front setback along Magnolia Way, reducing the required front setback to a 10' front setback; A 0.5' reduction in the side setback, reducing the required side setback to a 9.5' side setback.

LIST ANY ATTACHMENTS TO THIS PETITION:

Plat of Property Division for Rex Stroud Lots 19 & 20, Block C, Mobile Home Estates, Section Three

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

The variance will allow the existing residences to be within the building setbacks.


Signature of Owner

6-12-24
Date



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

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
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Councilmember District 3

WALLACE B. HUNTER, City Manager
SHANNON DAVIS, City Clerk
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: June 20, 2024

RE: Waiver Request – 0.69 +/- acres located on Dogwood Dr. (Westside Pl.)

The above referenced Waiver has been reviewed by the Building, Utilities, Fire, and Engineering Departments. The homes shown on the plat have already been built; therefore, a waiver is being requested to adjust the building setback line. Article IV Section 5.A. states that "In the absence of zoning regulations, the front building setback line for lots shall be thirty five (35) feet." However, it is the recommendation of City staff that the waiver for the submitted petition for lot consolidation be approved since the structures are existing.



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

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
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Councilmember District 3

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

Item No. 8

Type of Request: Administrative Subdivision

General Information

Applicant:	Rex Stroud
Surveyor of Record:	Barrett-Simpson, Inc.
Site Location:	Along Dogwood Dr. (Westside Pl.)
Acreage:	0.69 +/- acres
Number of Lots:	From 2 lots to 1 lot
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Residential (4 existing homes)
Proposed Use of Property:	Same
District:	None
Survey Plat:	Attached
City Services:	Police Jurisdiction

Staff Comments

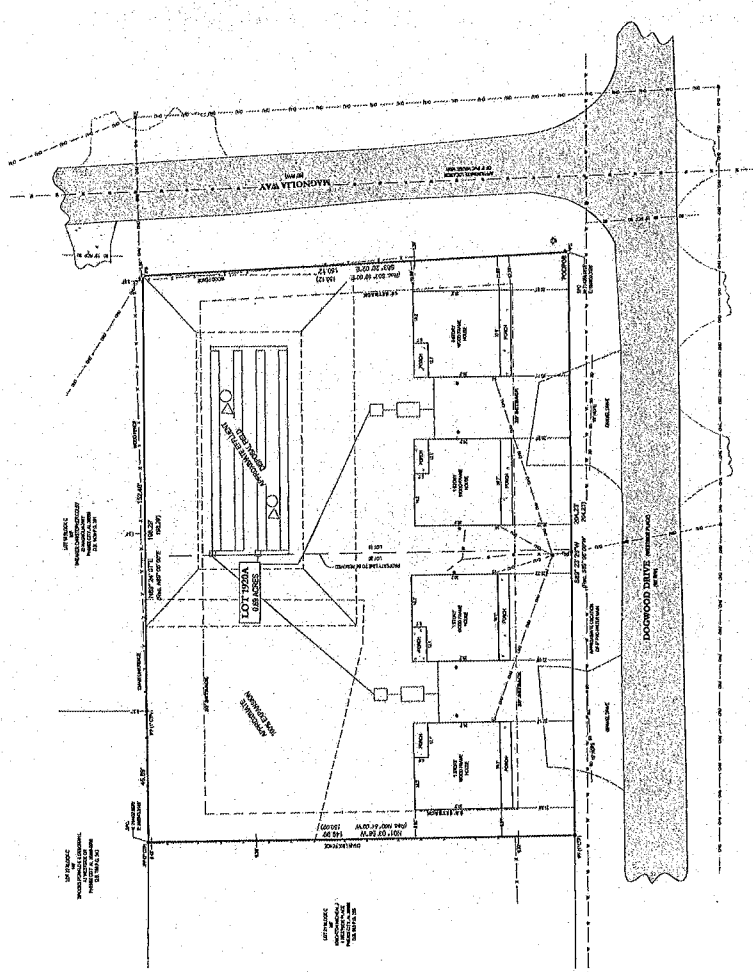
None.

Engineer/Owner Comments

None.

PLAT OF PROPERTY DIVISION FOR
 REX STROUD
 LOTS 19 & 20, BLOCK C, MOBILE HOMES ESTATES, SECTION THREE
 LOCATED IN SECTION 14, TOWNSHIP 17 NORTH, RANGE 29 EAST
 RUSSELL COUNTY, ALABAMA

NOT TO SCALE
 THE DISTANCE BETWEEN THE CORNERS OF THE PROPERTY SHALL BE MEASURED AS SHOWN ON THIS PLAT.



PHENIX CITY REQUIRED NOTES:

1. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
2. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
3. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.

RUSSELL COUNTY REQUIRED NOTES:

1. ALL LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
2. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
3. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.

SITE NOTES:

1. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
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SURVEYORS NOTES:

1. THE SURVEY WAS MADE BY THE SURVEYOR IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
2. THE SURVEY WAS MADE BY THE SURVEYOR IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
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PHENIX CITY REQUIRED NOTES:

1. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.
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3. THE PROPERTY DIVISION HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF PHENIX CITY ORDINANCES AND THE ALABAMA CONSTITUTION AND STATUTES.

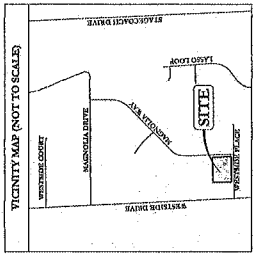
RECORDING INFORMATION

BOOK _____ PAGE _____

FILED _____

OFFICE OF THE CLERK OF THE DISTRICT COURT

MOBILE, ALABAMA



CERTIFICATES

CERTIFICATE OF APPROVAL AND COMPLETION

I, the undersigned, being duly qualified and sworn to as a Surveyor in and for the State of Alabama, do hereby certify that the foregoing plat of the property shown and described herein and that I accept of the same with the understanding that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes, and that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes, and that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes.

DATED: 6-12-24

 SURVEYOR

CERTIFICATE OF APPROVAL

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DATED: 6-12-24

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DATED: 6-12-24

 SURVEYOR

SURVEYORS INFO

NAME: BARRETT-SIMPSON, INC.
 ADDRESS: 1111 BROAD STREET, MOBILE, ALABAMA 36688
 PHONE: (904) 681-1111

SURVEYORS CERTIFICATE

I, the undersigned, being duly qualified and sworn to as a Surveyor in and for the State of Alabama, do hereby certify that the foregoing plat of the property shown and described herein and that I accept of the same with the understanding that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes, and that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes, and that the same shall be subject to the City of Phenix City Ordinances and the Alabama Constitution and Statutes.

DATED: 6-12-24

 SURVEYOR

LEGEND

1. LOT 19
 2. LOT 20
 3. LOT 21
 4. LOT 22
 5. LOT 23
 6. LOT 24
 7. LOT 25
 8. LOT 26
 9. LOT 27
 10. LOT 28
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 72. LOT 90
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 76. LOT 94
 77. LOT 95
 78. LOT 96
 79. LOT 97
 80. LOT 98
 81. LOT 99
 82. LOT 100





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

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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: June 20, 2024

RE: Administrative Subdivision – 0.69 +/- acres located on Dogwood Dr. (Westside Pl.)

The above referenced Administrative Subdivision has been reviewed by the Building, Utilities, Fire, and Engineering Departments. Based on the approval of the submitted waiver for setbacks in the Planning Jurisdiction, this plat meets the minimum requirements of Subdivision Regulations for approval.