

SEPTEMBER 26, 2017

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, September 26, 2017 at 5:15 PM EST in the Phenix City Council Chambers located in the Public Safety Building, 1111 Broad Street.

Chairman Pat Howard called the meeting to order and asked Secretary Shaun Culligan to call roll. Upon roll call, the following members answered present: Member Bailey, Vice Chairman Davis, Member Gil, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan.

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

The third item on the agenda was the Acknowledgement of City Council; District One Councilmember Bailey was present. Chairman Howard asked Secretary Culligan to note the City Employees that were present in the minutes. The following City Personnel were present: City Engineer Angel Moore, Assistant Director of Engineering Michael Pattillo, Graduate Engineer Tyler Hayes, Fire Marshall Marc Wells, Building Official Gil Griffith, City Attorney Jimmy Graham, and Engineering Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the August 22, 2017 meeting minutes. Chairman Howard asked if there was a motion to approve the written minutes and erase the recorded minutes. A motion for approval was made by Vice Chairman Davis and seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Gill, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: None. Motion thus passed.

The fifth item on the agenda was the approval of the September 12, 2017 cancelled meeting minutes. Chairman Howard asked if there was a motion to approve the written minutes and erase the recorded minutes. A motion for approval was made by Member Sims and seconded by Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Chairman Howard, Member Gill, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: None. Motion thus passed.

The sixth item on the agenda, Chairman Howard set the rules for addressing the Planning Commission.

The seventh item on the agenda was the Approval of Administrative Replat of 192.4+/- acres on Lee Road 312 & Lee Road 860, Broad River Group, LLC (Jason Hilton) and Tonya & Rick McAfee, owners. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Chairman Howard asked Secretary Culligan to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, City Engineer

Date, September 7, 2017

*RE: Administrative Replat – 192.4+/- acres located on Lee Road 312 & Lee Road 860 – Broad River Group, LLC (c/o Jason Hilton) and Tonya & Ricky McAfee, owners.
The above referenced administrative replat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Subdivision Regulations.*

Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Vice Chairman Davis and seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Member Gill, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: Member Bailey. Motion thus passed.

The eighth item on the agenda was the Public Hearing and Approval of a Conditional Use at 1112 Broad Street – C.F. Haines, Jr., owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Mr. Stephen Watson, owner of Christian Memorial Funeral Home (renter) came forward and discussed with the board members the location for the proposed business. Discussion followed in reference to the location along with the compressive plan and the location currently being classified as an “Entertainment District”. At this time Chairman Howard asked Secretary Culligan to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, City Engineer

Date, September 7, 2017

RE: Conditional Use – 1112 Broad Street – C.F. Haines, Jr., owner

The above petition has been reviewed by the Building, Utilities, Fire, and Engineering Departments. The Phenix City Zoning Ordinance allows a funeral home as a Conditional Use in a C-1 zone; however, it is not in accordance with the City’s Comprehensive Plan. Page 27 of the Comprehensive Plan states, “The east side of Broad Street between 13th and Holland Creek should be developed to more intensive commercial and office uses in buildings that enhance the image of Broad Street and add activity and vitality to Downtown.”

Furthermore, the area was just classified as an Entertainment District, and a funeral home will not promote this activity.

It is also important to note that a funeral home located on Broad Street would cause parking and traffic issues.

At this time Chairman Howard opened the Public Hearing. Mr. Eric Dobbs, employee of Christian Memorial Funeral Home came forward. Mr. Dobbs stated that they would have to submit the proper paperwork for the additional parking in the rear of the building on a different piece of property owned by the same owner. Mr. Dobbs also briefly went over the layout of the building and how it could be converted to another business at a later date. Mr. Stephens stated that most of their business would be conducted on Saturdays. Mrs. Moore reminded everyone that the Planning Commission would be recommending to City Council and City Council would make the final decision.

Chairman Howard asked if there was a motion to approve or deny. A motion to deny was made by Vice Chairman Davis and seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Member Gill, Chairman

Howard, Member Ivy, Member Lindsey, Member Sims, and Member Culligan. Nays: Member Bailey. Abstain: Member Taylor. Motion thus passed.

The ninth item on the agenda was the Public Hearing and Approval of an Amended Preliminary Plat for Branch Creek Subdivision located at the intersection of 7th Street & 33rd Avenue – T. Bruce Wade, owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. At this time Chairman Howard asked Secretary Culligan to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, City Engineer

Date, September 7, 2017

RE: Approval of Amended Preliminary Plat – Branch Creek Subdivision, T. Bruce Wade, owner.

The original preliminary plat was approved by Planning Commission at the March 28, 2017 meeting; however, it had to be amended to reflect an administrative replat that significantly changed the plat. The above referenced preliminary plat has been reviewed by the Building, Fire, Engineering, and Utilities Departments and meets the minimum requirements of the Subdivision Regulations for approval.

At this time Chairman Howard opened the public hearing. With not seeing nor hearing from anyone 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 Sims and seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Member Gill, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: Member Bailey. Motion thus passed.

The tenth item on the agenda was the Public Hearing and Approval of Preliminary Plat for Ladonia Commercial Subdivision located off U.S. Highway 80, Girard Partners, LP., owner. City Engineer Angel Moore reviewed the staff report with the Planning Commission members. Discussion followed about water/sewer and annexation of property. City Attorney Jimmy Graham came forward and present several cases similar to a municipality requiring someone to annex into the city to get city water/sewer (see attachments). At this time Chairman Howard opened the public hearing. Mr. Shawn Woods of 478 Lee Road 2170 came forward. Mr. Woods is not opposing development in the area and he understands the need to of clearing the land but since the trees are down he hears Highway 80 all the time, noise from the Wal-Mart, and lights shining into his house where before you couldn't see their houses or hear all the noise. Traffic issues are a big concern. There needs to be a light at Evans Road as part of this plan. At this time City Engineer Angel Moore spoke and state that ALDOT, Lee County and Russell County are planning on putting a traffic light at Evans Road and Highway 80 but does not know when that will take place. Mr. Woods stated that there have been a lot of break-ins due to the visibility of the homes. Chairman Howard asked if there was any way we could require a buffer and Mrs. Moore stated they are not in the city limits. Discussion followed. Member Taylor asked if they annex into the city could we require them to do a buffer. Building Official Gil Griffith stated that if they annex it would be zoned a C-4, Highway Commercial and it would require them to do a buffer. Mr. Shannon Tatum at 514 Lee Road 2170 came forward and stated his concerns are the same as Mr. Woods. Some are cutting through his yard thinking it's a cut through and breaking into cars. With no one else coming forward Chairman Howard closed the public hearing and asked Secretary Culligan to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, City Engineer

Date, September 7, 2017

RE: Approval of Preliminary Plat – Ladonia commercial Subdivision located off U.S. Highway 80, Girard Partners, LP., owner.

The above referenced preliminary plat has been reviewed by the Building, Fire, Engineering, and Utilities Departments and meets the minimum requirements of the Subdivision Regulations for approval; however, since the property is located within the Alabama Department of Transportation (ALDOT) right of way, approval of the Preliminary Plat should be contingent upon receiving ALDOT approval for access to this property from U.S. Highway 80.

Chairman Howard asked if there was a motion to approve or deny. A motion to approve contingent upon receiving ALDOT approval for access to this property from U.S. Highway 80 was made by Vice Chairman Davis and seconded by Member Culligan. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Member Gill, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: Chairman Howard. Abstain: Member Ivy. Motion thus passed.

The eleventh item on the agenda was Old Business. None

The twelfth item on the agenda was New Business. Mr. Howard stated that for the 2018 Planning Commission meeting schedule our second meeting for December falls on Christmas Day. He asked the members if they wanted to move the meeting to Wednesday, December 26, 2018 or have one meeting. Chairman Howard asked if there was a motion. A motion to have one meeting in December 2018 was made by Member Lindsey and seconded by Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Member Gill, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. Nays: None. Abstain: None. Motion thus passed.

The thirteenth 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 Sims, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Bailey, Vice Chairman Davis, Member Gill, Chairman Howard, Member Ivy, Member Lindsey, Member Sims, Member Taylor, and Member Culligan. 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 Tuesday, October 10, 2017.

Chairman – Pat Howard

Secretary – Shaun Culligan