

August 10, 2021

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, August 10, 2021 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 Secretary Phillips to call roll. Upon roll call, the following members answered present: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Taylor, and Member Phillips. The following members were not present: Member Sims.

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

Chairman Howard asked Secretary Phillips to call roll for the City Employees. The following City Personnel were present in person: Councilmember Vicky Carter-Johnson, Councilmember Steve Bailey, City Engineer Angel Moore, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Chief Building Official Gil Griffith, Fire Chief Kris Kennedy, City Attorney Jim McKoon, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the July 27, 2021 meeting 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 Ivy, seconded by Member Lindsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member Taylor, and Member Phillips. Abstain: Vice Chairman Davis and Member McKissic. Nays: None. Motion thus passed.

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

The sixth item on the agenda was a Review of the Zoning Standards for a C-3 Zone (Neighborhood Commercial District) by City of Phenix City Chief Building Official Gil Griffith. Mr. Griffith presented a slide show reviewing the standards for a C-3 Zone with the members and citizens present.

The seventh item on the agenda was a Public Hearing and Approval for 1.12+/- acres located at 5203 Summerville Road from an R-1 Zone (Low Density Residential District) to a C-3 Zone (Neighborhood Commercial District) for the Estate of Ella Sue Cook (Edward Earl Cook, Jr., Personal Representative) owner. Chairman Howard asked Secretary Phillips to read the department memo.

Memo

To: Planning Commission

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

Date: August 5, 2021

RE: Rezone – 1.12+/- acres located at 5203 Summerville Road

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, however the owner has submitted a letter requesting that this petition be removed from consideration by the Planning Commission at this time.

City Engineer Angel Moore stated that her office would be sending out new Public Hearing notices to the adjoining property owners with the new date. It is currently scheduled for Tuesday, August 24, 2021 at 5:15pm EST.

The eighth on the agenda was the Public Hearing and Approval for 0.67+/- acres located at 4104 Summerville Road from an R-1 Zone (Low Density Residential District) to a C-3 Zone (Neighborhood Commercial District) for Johnny F. Burell, owner. City Engineer Angel Moore reviewed the staff report with the members. Mr. Tim Simpson with Barrett-Simpson, Inc. came forward stating that the property at 4104 Summerville Road meets the requirements for a C-3 Zone and it abuts up to a piece of property that is already zoned C-3. Mrs. Sheri Burell Nishimura came forward to give a brief overview of the business she plans to put at this location. It would be a Movement & Massage Studio by appointment only. Chairman Howard asked Secretary Phillips to read the department memo.

Memo

To: Planning Commission

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

Date: August 5, 2021

RE: Rezone – 0.67+/- acres located at 4104 Summerville Road

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.

At this time Chairman Howard opened the Public Hearing. Mr. Rex Sanders of 1700 Magnolia Place came forward. Mr. Sanders stated he was representing the subdivision and the people in district 1; he has 292 signatures from citizens in the area. This lot has been residential for as long as he can remember. The lot beside this that is Zoned C-3 is due to the state taking property from Ms. McCullar, moving her up Summerville Road and zoning the property C-3 for her business, giving her a hardship. All other property in this area is zoned residential and we want it to stay that way. Next to come forward was Kim Mixon a local real estate agent for 17years. She stated that the re-zoning of this property would not be a negative impact, it would be good for the other residents and the community. Mrs. Mixon is also a patient of Mrs. Sheri Nishimura. Board Member Tony Taylor asked Mr. Rex Sanders what the main concerns were and Mr. Sanders stated it was traffic, safety, and noise. Nobody wants a Dollar General beside them, keep commercial on the other side of the bridge and let this area remain residential. Mr. Chip Buyer of 20 Stewart Road in Seale came forward. He is a longtime friend of Mrs. Nishimura's. The Summerville Road area has changed over the years and it would only be 10-15 cars/people a week and the community will love the impact of this. Christa Downing of Smiths Station came forward. Ms. Downing and her daughter are both patients of Mrs. Nishimura's, she is in it for the long run and the area needs this growth. Ms. Michelle Jones of Saddlebrook Subdivision came forward. She as well as her daughter are both patients of Mrs. Nishimura; she understands the fear of what it could be but this would be great for the community growth. Mr. Johnny Burell, owner of property to be re-zoned came forward and stated that he was not aware that 292 lived right around this property and the request is within the City's plan. There are numerous businesses up Summerville Road next to residential homes. Ms. Fay Hatcher of Bridgestone Condos came forward stating she was against the location not the proposed business. Mr. Lester Thornton of 1701 Magnolia Place, corner lot across from property to be re-zoned. He is not against the proposed business just the location. Ms. Lynn Terry came forward. She has been a school teacher in the area for 23 years; these are good people and wouldn't do anything to hurt the community. There are a lot of fears due to

the past issues, don't let it hurt business that want to come to the area. Mr. Green has lived in Carriage Hills for 41 years and his concern is traffic. If this is rezoned to commercial how many other property owners will want to re-zone theirs as well. Mr. Gil Griffith, Chief Building Official came forward to explain that the Dollar General beside Sonic that keeps coming up was already zoned C-3 back in the mid 1980's when the Stadium Plaza was zoned. The new Dollar General location had a vacant house which was condemned and torn down but was zoned commercial. Mrs. Martha Thornton of 1701 Magnolia Place came forward and her concern was traffic. Mr. Walter Adams came forward and stated he did not want the rezone. Mr. Kevin Nishimura (Sheri's husband), of 2415 Canter Drive in Saddlebrook Subdivision came forward. He stated that the traffic is progress, traffic is from the residents of Phenix City, and the Comprehensive Plan is the vision of Phenix City. The house would be re-done they were not going to be putting up a commercial building. Ms. Doris Sanders came forward stating her concerns on the traffic.

At this time Chairman Howard closed the Public Hearing. Chairman Howard asked if there was a motion to approve or deny. A motion to deny was made by Member Ivy. Due to lack of a second the motion failed. A motion to approve was made by Vice Chairman Davis, seconded by Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Member Taylor, and Member Phillips. Nays: Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, and Member McKissic. Abstain: None. Motion failed. Mrs. Moore stated that the Planning Commission makes a recommendation to City Council, however, City Council has the final decision and they also will have a public hearing and it is currently scheduled for Tuesday, September 21, 2021 at 6pm EST at the 5th Street South Youth Center.

The ninth item on the agenda was an Administrative Replat of 181.06+/- acres located at Lee Road 312 and Lee Road 313 for Broad River Group, LLC., (c/o Jason Hilton) and Jeffrey Faircloth, owners. City Engineer Angel Moore reviewed the staff report with the members. Chairman Howard asked Secretary Phillips to read the department memo.

Memo

To: Planning Commission

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

Date: August 5, 2021

*RE: Administrative Replat – 181.06+/- acres located at Lee Road 312 and Lee Road 313
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 for approval.*

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

The tenth item on the agenda was Old Business. None.

The eleventh item on the agenda was New Business. None.

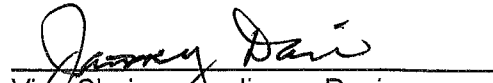
The twelfth item on the agenda was the Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Member Johnson, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member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

McKissic, Member Taylor, and 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 Tuesday, August 24, 2021.



Chairman – Pat Howard



Vice Chairman – Jimmy Davis