

October 26, 2021

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, October 26, 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 Taylor, and Member Phillips. The following members answered present by way of telephone: Member Lindsey. The following members answered present by way of Zoom: Member Johnson and Member McKissic. Members not present: Member Sims.

The second item on the agenda was the Approval of the Agenda. Vice Chairman Davis made a motion to approve, 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. 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: City Councilmember Vicki Carter Johnson. City Engineer Angel Moore, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Utilities Engineer John Spraggins, Building Official Gil Griffith, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, City Planner Tracie Hadaway, City Manager Wallace B. Hunter, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of the September 28, 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 Vice Chairman Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Lindsey, Member McKissic, Member Taylor, and Member Phillips. Abstain: Member Johnson. 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 an Approval of Administrative Replat for 1.31 +/- acres located at 3616 Hwy 431 North for English Properties, LLC (Bob English), owner. City Engineer Angel Moore stated that after further review this item would have to go before the BOZA Board due to lost size and then come back to the Planning Commission. A motion to pull this agenda item was made by Vice Chairman Davis, 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 seventh on the agenda was a Public Hearing and Approval of Rezone of 0.47 +/- acres located at 3102 South Railroad Street from an A-O (Apartment and Office District) to a C-3 (Neighborhood Commercial District), Catarang Properties, LLC (Rodney Niles), owner. 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: October 21, 2021
RE: Rezone – 0.47 +/- acres located at 3102 South Railroad Street
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.*

Chairman Howard opened the Public Hearing. With no one coming forward or calling in the Public Hearing was closed. Chairman Howard asked if there was a motion to approve or deny. A motion to approve was made by Vice Chairman Davis, 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 eighth item on the agenda was a Public Hearing and Approval of a Rezone of 11+/- acres located on the West side of Lakewood Drive & South of Holland Creek from an R-1 (Low Density Residential District) to an R-3 (High Density Residential District), GGG Partners, LLC (John Daniel Greene, Dudley Elizabeth Greene, and Brooks Harrison Greene), owners. City Engineer Angel Moore reviewed the staff report and maps with the members. Mrs. Moore also read a letter from Barrett Development Consultants, LLC, which reads as follows:

25 October, 2021

Ms. Angel Moore, P.E.
City of Phenix City Engineering Dept.
1206 7th Avenue
Phenix City, AL 36867
Via: Email
RE: Petition to Rezone: Green Family Property, Lakewood Drive @ Holland Creek

Dear Angel,

This letter is to advise that I have discussed the matter with the Green Family and they are fully aware that to develop this subject property in all likelihood will require encroachment into the flood plain and that this action will require approval of a CLOMA-F by FEMA and the City of Phenix City. They are cognizant of the process and aware that approval of the CLOMA-F is not assured.

Barrett Development Consultants, LLC
George W. (Bill) Barrett

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: October 21, 2021
RE: Rezone – 11 +/- acres located along the west side of Lakewood Drive & South of Holland Creek*

The above referenced rezone plat has been reviewed by the Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for approval.

Chairman Howard opened the Public Hearing. Mr. Jim Talbot, representative for the owner came forward to give an overview of the proposed project. Mr. Bill Barrett of Barrett Development Consultants, LLC, and a representative for the owner came forward and stated the site & construction plans are not finalized. Rezoning the property is the first hurdle, then we will sit down and see what will work in the area. Lesley Dudley, owner came forward and was asked by Chairman Howard if the rezone was passed and she was turned down by FEMA and or the State what then what she do with the property. Ms. Dudley stated she had not thought that far because she was going to do whatever it took to make this project work. If for some reason it didn't she would probably come back to ask for it to be rezoned to something else so she could build on it. Julie Torreyson of 3407 Bridgewater Court came forward. Her concerns were the catastrophic traffic, crime, insurance rates, didn't want the project, and stated she was not notified of the public hearing. Jay O'Neal of 4408 Sue Drive came forward. Mr. O'Neal stated that they have a tight neighborhood, the rezone sign needs to be bigger and the location of the sign was not very visible. Traffic is also a concern of his, what will be built there, has heard a lot of rumors of several things that it would be; close to the creek and what effect would it have on the wildlife. Kimberly Scroggs of 3710 Holland Court came forward stating she lives in a quite community and if you take the buffer away it will result in issues in the area. Christine Morgan of 2416 Greenbrier Drive came forward with concerns about the traffic, crime, property value going down, and the quality of life would be effected. John Morgan of 2416 Greenbrier Drive came forward with concerns of the floodplain and the creek. Danny Powell, Jr. of 1413 Fletcher Drive came forward with his concerns about the traffic, crime, property value, taxes, environmental impact of the creek and sex offenders. Leslie Dudley of 2647 Summerville Road and owner of property to be rezoned stated that she is heavily invested in the community, Phenix City and Smiths Station. She also stated that no one has asked what her plan is to put at this location. She wants to put a Senior Living Gated Community. She is aware she can't have no more than 96 units and it may be less. She is also aware of the issues ahead of her and she is willing to do whatever it takes to make this project work. She doesn't want to decrease any values and she believes this will be an asset to the community. Sherry Guinn, Administrator for the Lakewood Health Care located at 3900 Lakewood Drive came forward. Her concerns were the flooding in the area as well as the traffic and the emergency vehicle access to her facility due to the extra traffic. Larry Burdell of Bridgewater came forward with is concerns for the traffic in the area as well. With no one else coming forward the Public Hearing was closed. Chairman Howard asked Building Official Gil Griffith about the sign. Mr. Griffith stated the sign is 32 x 24 which meets the City regulations and is located on the property that is to be rezoned. Mr. Griffith did go by the property and everything was in order. Recording Secretary Kathy Jo Davis stated that by law the Planning Commission is only required to send certified letters to the adjoining property owners of the property that is requesting rezoning. City Engineer Angel Moore stated that she wanted to make sure it was understood that the Planning Commission only makes a recommendation to City Council and City Council would have a 1st Reading, would advertise it in the newspaper, on the City website and a Public Hearing as well. At this time the City Council Public Hearing is scheduled for Tuesday, December 7, 2021. Member Taylor asked that the only thing being presented was the rezone and the owner was aware she may not be able to do the proposed project. City Engineer Angel Moore stated if the rezone is approved for an R-3 and the project did not work out then anything allowed in an R-3 could be built at a later date.

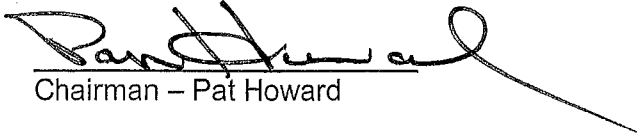
At this time Chairman Howard asked if there was a motion to approved or deny. No motion was made. Chairman Howard asked City Attorney Graham what the next step is. Mr. Graham stated that due to no motion it would go to City Council with no recommendation. Due to no motion made, no recommendation will be submitted to City Council.

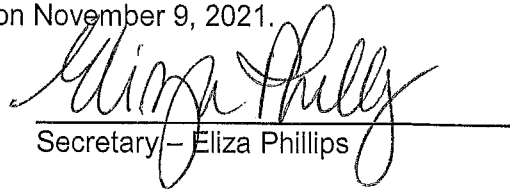
The ninth item on the agenda was Old Business. None.

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

The eleventh 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 Ivy, 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 Ivy, 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 November 9, 2021.


Chairman – Pat Howard


Secretary – Eliza Phillips