

September 13, 2022

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, September 13, 2022, 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 Recording Secretary Jennifer Lowman to call the roll. Upon roll call, the following members answered present: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims, Members not present: Member Taylor and Secretary Eliza Phillips

The **second** item on the agenda was the Approval of the Agenda. Member Vice Chairman Davis, made the motion to approve, seconded by Member Sims. 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 Sims Nays: None. Abstain: None. Motion thus passed.

The **third** item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Howard asked Recording Secretary Lowman to call roll for the City Employees. The following City Personnel were present in person: City Councilmember Vickey Carter Johnson, City Engineer Angel Moore, Asst. Director of Engineering Mike Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Utilities Engineer John Spraggins, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, Planning Director Tracie Hadaway, and City Attorney Jimmy Graham, City manager Wallace B. Hunter and Recording Secretary Jennifer Lowman.

The **fourth** item on the agenda was the approval of August 23, 2022 minutes. Chairman Howard stated there were not enough members present to erase and approve August 23rd meeting minutes. Those minutes will have to be approved at the next meeting.

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

The **sixth** item on the agenda was an Administrative Subdivision Replat – 14.64 +/- acres located along the West End of Lee Road 2097 and the West Side of Lee Road 2095, Barry & Sun Cha Fleming, owners.

Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Recording Secretary Lowman to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date September 8, 2022

Re: Administrative Subdivision Replat – 14.64 +/- acres located along the West End of Lee Road 2097 and the West Side of Lee Road 2095, Barry & Sun Cha Fleming, owners.

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.

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 Sims. Abstain: None, Nays: None. Motion thus passed.

The **seventh** item on the agenda was a Public Hearing and Recommendation for a Rezone - 9.73 +/- acres located at Gardner Way, off of Whiterock Road, South of Highway 80, Whiterock LLC, owner. Planning Director Tracie Hadaway reviewed the staff report with the members.

Chairman Howard opened the Public Hearing. The following persons were in attendance and offered these comments:

Attorney Travis Haggate – Mr. Haggate introduced himself and his partner Attorney Richard Kammer to the Planning Commission as representing the applicant. Mr. Haggate spoke about county property surrounding Summer Vineyard. He stated that the property had been annexed into the city and spoke about the zoning district. He informed the Commission about the timing of the homes that had been built and the lot sizes of the homes. Asked Planning Commission for permission to allow them to continue the subdivision with the 50ft minimum lot width lots. Mr. Haggate stated that the homes would be approximately the same square footage of the previously developed homes and that his client would commit to single-family residential.

Attorney Richard Kammer – Mr. Kammer requested that the property be treated as a non-conforming use and continue to develop under the previous development requirements.

Ray Rogers City Deputy Building Official – Mr. Rogers informed the Planning Commission that this would not meet the definition of a non-conforming lot and that the Building Inspection Department had received several calls concerning the water runoff. Mr. Rogers also reminded the Planning Commission that the R3 zoning district allowed apartments.

Ana Noble – Ms. Noble addressed the commission concerning the drainage problems that they were having in Phase 1 and 2 of Summer Vineyard subdivision. She asked if the change in minimum width to the lots would help the drainage issues.

Tomasz Ratuszny – Mr. Ratuszny addressed the Planning Commission with concerns of poor drainage, water sitting in yards and no answer from the contractor.

Cathy Bowden – Ms. Bowden addressed the Commission concerning the green space that had been part of the original development and the drainage issues.

Angle Moore City Engineer/Public Works Director – Addressed the commission regarding Subdivision Regulations and stated that they were changed in 2016 to alleviate these issues.

Chairman Howard closed the Public Hearing and asked Jennifer Lowman for the memo to read the memorandum.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 19, 2022

Re: Public Hearing and Recommendation for Rezoning – 9.73 +/- acres located at Gardner Way, off of Whiterock Road, South of Highway 80, Whiterock LLC, owner.

The above-referenced Rezoning Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and does not conform to the Phenix City Comprehensive Plan and Future Land Use map or the Phenix City Zoning Ordinance.

A motion to recommend to deny the rezoning request was made by Vice Chairman Davis to Deny, seconded by Member Sims. 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 Sims. Abstain: None, Nays: None. The motion to recommend a denial of the rezoning request passed.

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

The **ninth** item on the agenda was New Business. There was no new business to discuss.

The **tenth** item on the agenda was the Planning Director Report – Tracie Hadaway gave an update on the Downtown Vision Plan and had visual presentations for the Planning Commission to review.

The eleventh item on the agenda was Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy, seconded by Member S. Upon said being to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims. 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 September 27, 2022.


Chairman – Pat Howard


Vice Chairman - Jimmy Davis