



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, JANUARY 9, 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 December 12, 2023 Meeting Minutes
- 5) Approval of the December 26, 2023 Canceled Meeting Minutes
- 6) Rules for Addressing Planning Commission
- 7) Approval of Administrative Subdivision Replat – 77.05+/- acres located at 447 Wright Road – Joseph T. Anthony and Donald G. Kelley, Jr., owners.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 8) Old Business
- 9) New Business
- 10) Adjournment

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: December 8, 2023

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.

Member Davis made the motion to approve, 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, Member Ramos, Chairman Sims and Vice Chairman Taylor.. Nays: Member Phillips-Wyatt. Abstain: None. Motion thus passed

The seventh item on the agenda was the Public Hearing and Recommendation of Rezone of 2.31+/- acres located at 1801 Knowles Road – Ricky Patterson, owner. City Engineer Angel Moore reviewed the staff report with the members. At this time Public Safety Director Ray Smith came forward to inform the Commission of the multiple complaints from residents in this area in reference to the 1801 Knowles Road property. Director Smith stated there had been several complaints on this property starting from 2015 to now. There has been multiple complaints of loud music and parking as well as 2 complaints involving shots fired. The latest complaint was March 2023 for parking issues. This property has been found on the internet being advertised as an Air BNB and it is not zoned for this use. If the owners want an Air BNB there are other codes they will have to meet which can cost them more. Chairman Sims opened the public hearing. Mr. Rasha Patterson came forward to explain what they would like to use the property as. The owner would like to rent the house out to people that come to the area to visit family and be able to control who / what type of people come in to stay to keep the loud music and partying down. Chief Building Official Ray Rogers came forward stating they are not currently zoned for an Air BNB. Discussion followed. Chairman Sims closed the public hearing. Chairman Sims asked Secretary Phillips-Wyatt to read the department memos.

Memo

To: Planning Commission

From: Raymond J. Smith, Public Safety Director

Date: December 11, 2023

RE: Rezone – 2.31+/- acres located at 1801 Knowles Road

This memo is in reference to the request to rezone 1801 Knowles Rd. This address is well known to the Police Department due to multiple complaints of loud music and parking problems. The property is a large house with a lake and pool that has been used as a party house from at least 2015. The property in the last three years has generated seven complaints directly related to loud parties and parking problems from residences in the area of the property. Two of the complaints involved shots fired at the property during parties, once on January 8, 2022 and again on May 5, 2022. The latest call at the property was on March 10, 2023 for parking issues.

If this rezoning were approved, the property would be allowed to be used as a short-term rental. By allowing this type of use, the conflict with neighboring residential areas would undoubtedly increase the Building Department and the Police Department would have to expend additional resources to address the complaints.

The property is not suited as a short-term rental where a single family would use the property but rather a large venue where it is likely that an organization or a large group would rent the property for a weekend and use it as a party house that would likely disrupt the neighborhood.

Memo

To: Planning Commission

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

Date: December 8, 2023

RE: Rezone – 2.31+/- acres located at 1801 Knowles 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.

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

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

The ninth item on the agenda was New Business. None

The tenth 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 Member Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Carter, Member Davis, Member Ivy, Member Lindsey, Member McKissic, Member Ramos, 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 January 9, 2024.

Chairman – Billy Sims

Secretary – Eliza Phillips-Wyatt



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
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: Administrative Subdivision

General Information

Applicant:	Joseph T. Anthony & Donald G. Kelley, Jr.
Surveyor of Record:	McBride & McGill, Inc.
Site Location:	447 Wright Road
Acreage:	77.05 +/- acres
Number of Lots:	2
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Vacant
Proposed Use of Property:	Future Residential Home
District:	None
Survey Plat:	Attached
City Services:	Phenix City Police

Staff Comments

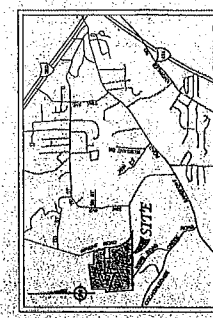
None.

Engineer/Owner Comments

None.



RUSSELL COUNTY HEALTH DEPARTMENT
 COUNTY ENGINEER, L.A. 12273
 10/25/2023



PHENIX CITY PLANNING COMMISSION
 CITY ENGINEER, L.A. 12273
 10/25/2023

CURVE TABLE

CURVE	LENGTH	CHORD BEARING	CHORD	ARC
1	114.32	S 89° 54' 42" W	114.32	114.32
2	114.32	S 89° 54' 42" W	114.32	114.32
3	114.32	S 89° 54' 42" W	114.32	114.32
4	114.32	S 89° 54' 42" W	114.32	114.32
5	114.32	S 89° 54' 42" W	114.32	114.32
6	114.32	S 89° 54' 42" W	114.32	114.32
7	114.32	S 89° 54' 42" W	114.32	114.32
8	114.32	S 89° 54' 42" W	114.32	114.32
9	114.32	S 89° 54' 42" W	114.32	114.32
10	114.32	S 89° 54' 42" W	114.32	114.32

ADMINISTRATIVE REPLAY NOTES
 1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE ALABAMA SURVEYING BOARD AND THE ALABAMA SURVEYING ACT.
 2. THE SURVEYOR HAS REVIEWED ALL RECORDS AND DOCUMENTS RELATING TO THE PROPERTY AND HAS FOUND NO OTHER SURVEYS OR RECORDS THAT AFFECT THE PROPERTY.
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SURVEYOR'S NOTES
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REFERENCES
 1. ALABAMA SURVEYING ACT, TITLE 40, CHAPTER 1, SECTION 1-101.
 2. ALABAMA SURVEYING BOARD, RULES AND REGULATIONS, SECTION 1-101.
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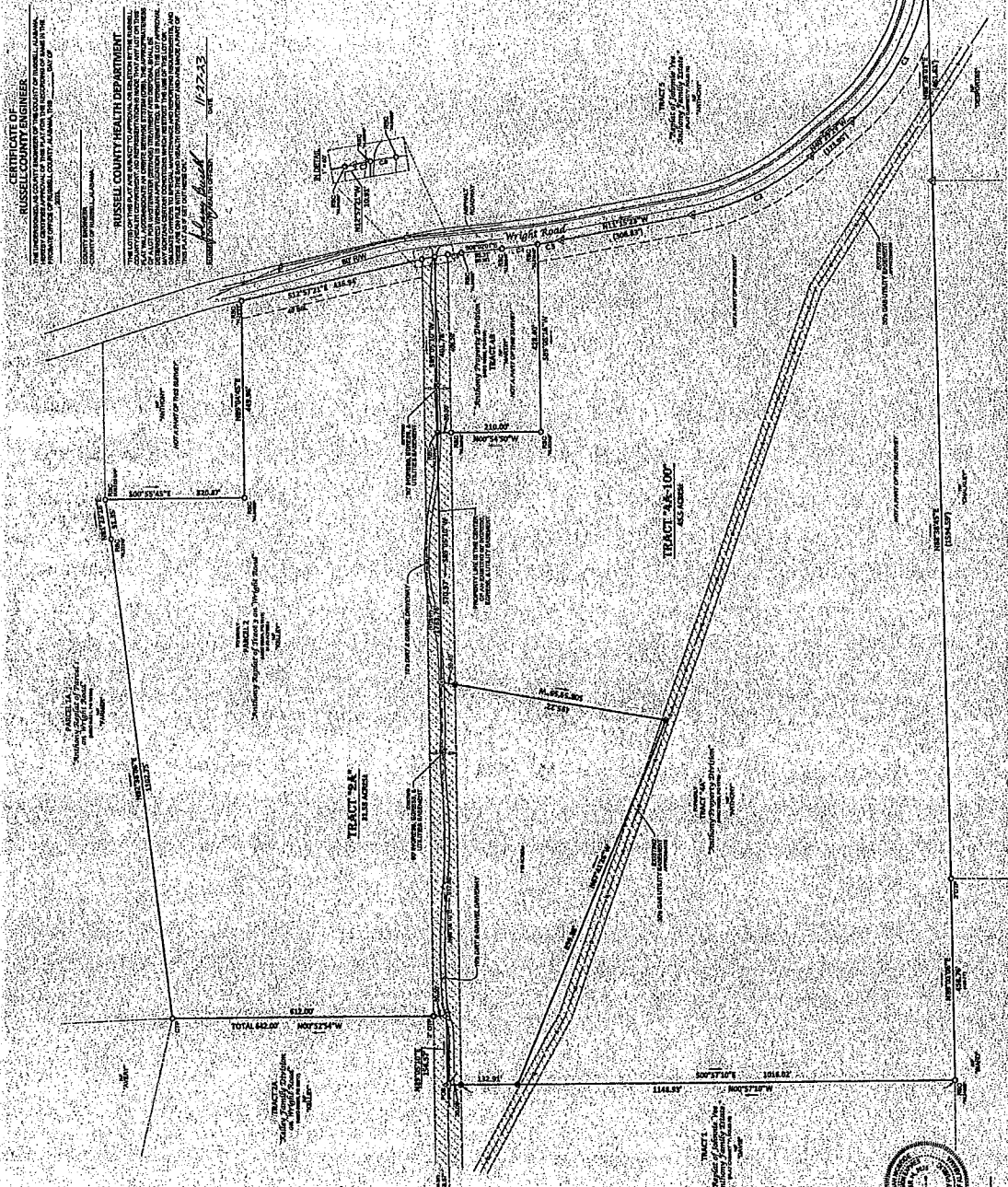
FLOOD CERTIFICATION
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DISPOSITION DETAILS
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DATE
 OCT. 25, 2023

SCALE
 1" = 120'

SHEET NO.
 1 OF 1



RUSSELL COUNTY HEALTH DEPARTMENT
 COUNTY ENGINEER, L.A. 12273
 10/25/2023

PHENIX CITY PLANNING COMMISSION
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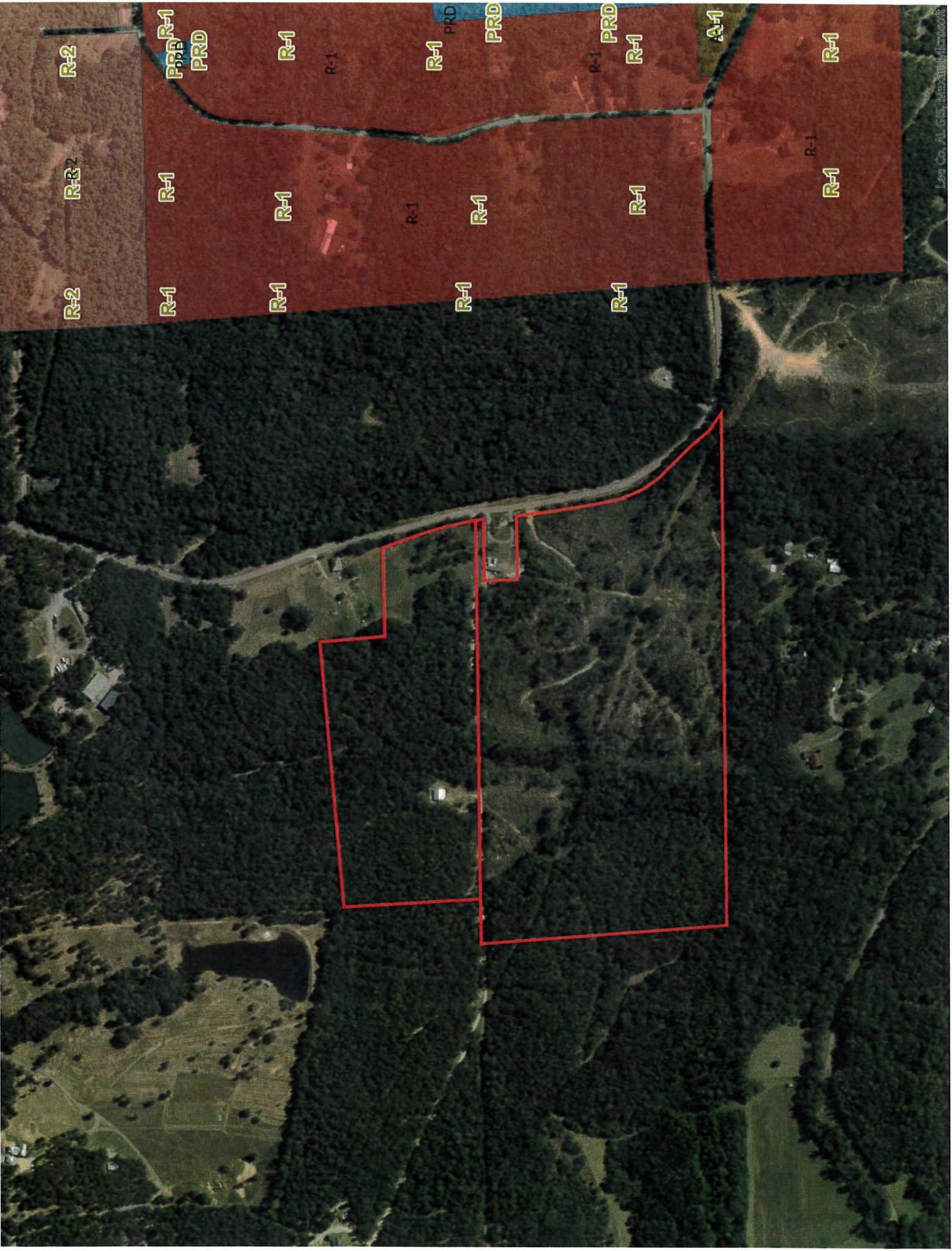
SHEET NO.
 1 OF 1

McBride & McGill, Inc.
 10000 Highway 100, Wetumpka, AL 36087
 (205) 338-1000
 www.mcbrideandmcgill.com

NOTARY
 I, Joseph Thomas Anthony, Notary Public for the State of Alabama, do hereby certify that the above described property is the property of Donald Gene Kubby, Jr. and that the same is being conveyed to Donald Gene Kubby, Jr. as shown on the plat hereof.

OWNERSHIP AND DEDICATION
 I, Joseph Thomas Anthony, Notary Public for the State of Alabama, do hereby certify that the above described property is the property of Donald Gene Kubby, Jr. and that the same is being conveyed to Donald Gene Kubby, Jr. as shown on the plat hereof.

LEGEND
 1. PROPERTY BOUNDARIES
 2. EASEMENTS
 3. CURVE DATA
 4. PROPERTY CORNER MARKERS
 5. PROPERTY CORNER MARKERS
 6. PROPERTY CORNER MARKERS
 7. PROPERTY CORNER MARKERS
 8. PROPERTY CORNER MARKERS
 9. PROPERTY CORNER MARKERS
 10. PROPERTY CORNER MARKERS





DR. R. GRIFF GORDY
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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: January 5, 2024

RE: Administrative Subdivision – 77.05 +/- acres located at 447 Wright Rd.

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