



**THE CITY OF PHENIX CITY  
PLANNING COMMISSION AGENDA  
TUESDAY, JULY 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 June 25, 2024 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Statutory Review – 1203-A 4<sup>th</sup> Place South – Kevin Harris, owner.
  - Staff Report
  - Developer's Comments
  - Department Memo
- 7) Old Business
- 8) New Business
- 9) Adjournment

**June 25, 2024**

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, June 25, 2024, at 5:15 PM EST in the Council Chambers at the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama.

Chairman Sims called the meeting to order and asked Secretary Phillips-Wyatt to call the roll. Upon roll call, the following members answered present: Member Davis, Member Ivy, Member Lindsey, Chairman Sims and Member Phillips-Wyatt. Members Carter, McKissic and Vice Chairman Taylor was not present.

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

The third item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Sims asked Secretary Phillips-Wyatt to call roll for the City Employees. The following City Personnel were present in person. Assistant Director of Engineering Michael Pattillo, Civil Engineer/PE Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director John Spraggins, Fire Chief Kris Kennedy, Public Safety Director Ray Smith, Economic Development Manager Shaun Culligan, Assistant City Manager Chan Gamble, City Attorney Jimmy Graham, and Recording Secretary Kathy Jo Davis.

Vice Chairman Taylor arrived at 5:16pm.

The fourth item on the agenda was the approval of June 11, 2024 minutes. Chairman Sims asked if there was a motion to approve the written minutes and remove the recorded minutes. Member Ivy made the motion to approve, seconded by Member Davis. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed.

The fifth item on the agenda was Chairman Sims, who set the rules for addressing the Planning Commission.

The sixth item on the agenda was the Public Hearing & Recommendation of De-Annexation – 0.95+/- acres located at 1515 Lee Rd 427 (Pierce Rd) Apt A & B – Jimmie Piland, owners. Civil Engineer/PE Chris Casey reviewed the staff report with the members. Utilities Director John Spraggins came forward and stated he received a call from Mr. Billy Benton asking if the owner Mr. Piland could get garbage service only. Mr. Spraggins contacted Mrs. Piland advising her that they could get garbage service only and they are in the process of doing that now.

Chairman Sims opened the Public Hearing. With no one coming forward the Public Hearing was closed. Chairman Sims asked Secretary Phillips-Wyatt to read the petition and department memo.

Petition Information for De-Annexation

*Applicant Name: Jimmie Piland*

*Mailing Address: 5503 Springfield Court, Phenix City, AL 36867*

*Phone Number: 334-297-7743*

*Current Property Address: 1515 Lee Rd 427 Apts A & B Phenix City, AL 36867*

*Reason for requesting De-Annexation: problems with sanitation collection.*

Memo

To: Planning Commission

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

Date: June 20, 2024

RE: De-annexation – 0.95+/- acres located at 1515 Lee Rd 427 Apts. A & B

The above referenced application for de-annexation has been reviewed by the Building, Utilities, Fire and Engineering Departments. Based on Resolution 2020-275, it states that the only exceptions for access to City services for properties outside the corporate City limits for single family residential or non-commercial facilities. Therefore it is the recommendation of City staff that this property not be de-annexed from the corporate City limits.

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

The seventh item on the agenda was the Recommendation of Waiver – 0.69+/- acres located on Dogwood Drive (Westside Place) – Rex Stroud, owner. Civil Engineer/PE Chris Casey reviewed the staff report with the members. Eddie Eubanks of Barrett-Simpson, Inc came forward and stated that since the homes were already built the variance would allow the existing homes to be within the building setbacks.

Chairman Sims asked Secretary Phillips-Wyatt to read the Request For Waiver and department memo.

REQUEST FOR WAIVER

NAME OF DEVELOPER: Rex Stroud

EMAIL ADDRESS: [stroudconstruction@gmail.com](mailto:stroudconstruction@gmail.com)

NAME OF SUBDIVISION: Lots 19 & 20, Block C, Mobile Home Estates, Section Three

LOCATION OF SUBDIVISION: Dogwood Drive

STATE IN FULL WHY A WAIVER IS BEING REQUESTED: Residences are already constructed. Residences were built outside the required setbacks due to excess grade changes made for installation of on-site septic system preventing residences from being located within the building setbacks.

STATE FACTS UPON WHICH THE WAIVER IS RELYING UPON: A 10' reduction in front setbacks along Dogwood Drive, reducing the required 30' front setback to a 20' front setback; A 20' reduction in front setback along Magnolia Way, reducing the required front setback of a 10' front setback; A 0.5' reduction in the side setback, reducing the required side setback to a 9.5' side setback.

LIST ANY ATTACHMENTS TO THIS PETITION: Plat of Property Division for Rex Stroud Lots 19 & 20, Block C, Mobile Home Estates, Section Three.

PROVIDE A SHORT EXPLANATION WHY YOU BELIEVE THE WAIVER SHOULD BE

APPROVED: The variance will allow the existing residences to be within the building setbacks.

OWNER: Rex Stroud

DATE: 6-12-2024

Memo

To: Planning Commission

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

Date: June 20, 2024

RE: Waiver Request – 0.69+/- acres located on Dogwood Dr. (Westside Pl.)

The above referenced Waiver has been reviewed by the Building, Utilities, Fire, and Engineering Departments. The homes shown on the plat have already been built; therefore, a waiver is being requested to adjust the building setback line. Article IV Section 5.A states that "In the absence of zoning regulations, the front building setback line for lots shall be thirty five (35) feet." However, it is

*the recommendation of City staff that the waiver for the submitted petition for lot consolidation be approved since the structures are existing.*

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

The eighth item on the agenda was Approval of Administrative Subdivision – 0.69+/- acres located on Dogwood Drive (Westside Place) – Rex Stroud, owner. Civil Engineer/PE Chris Casey reviewed the staff report with the members. 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: June 20 2024*

*RE: Administrative Subdivision – 0.69+/- acres located on Dogwood Dr. (Westside Pl.)*

*The above referenced Administrative Subdivision has been reviewed by the Building, Utilities, Fire and Engineering Departments. Based on the approval of the submitted waiver for setbacks in the Planning Jurisdiction, this plat meets the minimum requirements of the Subdivision Regulations for approval.*

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

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 Adjournment. Chairman Sims asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy, seconded by Member Lindsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, 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 July 9, 2024.

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Chairman – Billy Sims

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Secretary – Eliza Phillips-Wyatt



**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. 6

**Type of Request: Statutory Review**

### General Information

<b>Applicant:</b>	Utility Design Partners, LLC on behalf of CSpire Fiber
<b>Site Location:</b>	1203-A 4 <sup>th</sup> Place South
<b>Number of Lots:</b>	1 lot
<b>Current Zoning:</b>	C-3 (Neighborhood Commercial District)
<b>Current Use of Property:</b>	Commercial
<b>Proposed Use of Property:</b>	Fiber Cabinet Facility
<b>District:</b>	Three (3)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water & Sewer, Fire, Police, Streets & Drainage

### Staff Comments

Please see the memo to the Planning Commission.

### Engineer/Owner Comments

None.





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Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission  
*M.P. FORA.M.*  
From: Angel Moore, P.E., City Engineer/Public Works Director  
Date: July 8, 2024  
RE: Statutory Review Request – Fiber Network Hub located at 1203-A 4<sup>th</sup> Place South

The submitted Statutory Review request for the proposed fiber network hub located at 1203-A 4<sup>th</sup> Place South has been review by the Engineering, Fire, Building and Utilities Departments and below are the staff comments.

**General** –

- 1) Issuance of all permitting shall be conditional upon the execution of a franchise agreement between CSpire and the City of Phenix City.

**Fire** –

- 1) All construction will be required to meet the fire code requirements.



