

December 12, 2023

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, December 12, 2023, 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, Member McKissic, Member Ramos, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Member Carter, 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, Member McKissic, Member Ramos, Chairman Sims, Vice Chairman Taylor 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: City Engineer Angel Moore, Assistant Director of Engineering Michael Pattillo, Civil Engineer/PE Chris Casey, Graduate Engineer Andrew Patterson, Chief Building Official Ray Rogers, Fire Chief Kristin Kennedy, Public Safety Director Ray Smith, Economic Development Manager Shaun Culligan, City Attorney Jimmy Graham, City Manager Wallace B. Hunter, Assistant City Manager Chan Gamble, and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of November 28, 2023 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 McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Member McKissic and Vice Chairman Taylor. Nays: None. Abstain: Member Ramos, Chairman Sims, and Member Phillips-Wyatt. 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 and Recommendation of Rezone of 1.12+/- acres located at 5203 Summerville Road – Edward E. Cook, Jr., Roger D. Cook, Jeffery W. Cook and Tina M. Rogers, owners. City Engineer Angel Moore reviewed the staff report with the members.

Member Carter present at 5:20pm EST.

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