OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, June 14, 2022

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday June 14, 2022, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Mr. David Kemp. Upon roll call the following members were found to be present: Ms. Jamie Dykes, Mr. Roland Lewis, Mr. David Kemp Mr. Clay Randolph, Mr. Scott Roland and Mr. Jason Ward. Absent and failing to vote were, Mr. Dale Phillips and Mr. Ernest. O'Rourke. Staff present were Julie Ramm, Planning Director, Shaun Patten, Zoning Administrator, Brad Matthews, Senior Engineer, and Chris Cunningham, Assistant City Attorney.

Approval of Agenda – **Motion by Mr. Lewis** to approve the agenda. **Second by Mrs. Dykes.** Roll call vote was as follows: Mr. Lewis-Yes; Ms. Dykes-Yes, Mr. Kemp-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes; **Motion Carried.**

Approval of the Minutes – **Motion by Ms. Dykes** to approve the May 10, 2022, minutes. **Second by Mr. Roland.** Roll call vote was as follows: Ms. Dykes-Yes; Mr. Roland-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes; Mr. Randolph-Yes; and Mr. Ward-Yes; **Motion Carried**.

Verification of Proper Notification - Mrs. Ramm confirmed proper notification was given.

Verification of No Conflict of Interest – Councilwoman Dykes abstained from voting on case number R-22-03.

Information on Back of Agenda – Chairman Kemp explained the meeting procedures on the back of the agenda.

OLD BUSINESS

NEW BUSINESS

R-22-03 Jay Moyer

Mrs. Ramm stated Mr. Jay Moyer requests rezoning of .64 acres located at 3808 Highway 43 from RS-1 (Single Family Residential) to OI (Office and Institutional). The developer is proposing an insurance office for this property. However, the Commission must consider all uses in this zoning classification.

Mr. Jay Moyer with State Farm, 13800 Randa Parkway, appeared before the Commission representing himself. Mr. Moyer stated he would like the parcel to be rezoned from RS-1 (Single Family Residential) to OI (Office and Institutional) to grow his insurance office and to be more accessible to the public.

Chairman Kemp opened the public hearing.

With no one else appearing to speak on this matter, Chairman Kemp closed the public hearing.

Motion by Mr. Ward to make a favorable recommendation to council to rezone .64 acres for case R-22-01. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Ward-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes; Mr. Randolph-Yes; and Mr. Roland-Yes. **Motion Carried.**

A-22-03 Ramesh Peramsetty

Mrs. Ramm stated Ramesh Peramsetty requests annexation of approximately 30.04 acres west on Highway 43 North and north of Highway 171 and south of River Oak Drive with original zoning designation of C-3 (General Commercial).

Mr. Bobby Herndon with Herndon Hicks Associates, 2728 Lurleen Wallace Blvd., stated the 30.04 acres is currently being used as a dirt and gravel pit. The developer would like to change the property to put in medical and commercial facilities, as well as, assisted living with hopes of employing up to two hundred. They will be submitting a Master Development Plan of the property soon.

Chairman Kemp open the public hearing.

Stacey Busby, 6411 Smith Jackson Road, backs up to this parcel, is inquiring about a retaining wall due to rain and landslide.

With no one else appearing to speak on this matter, Chairman Kemp closed the public hearing.

Mr. Bobby Herndon, addressed the question by Ms. Busby regarding the development on the property to which the developer is not far enough along in design to know if there will be a retaining wall. They will make sure adjoining property owner's properties will be taken care of.

Mr. Lewis asked the current designation of this property.

Ms. Ramm states this property is currently in the County.

Motion by Mr. Roland to make a favorable recommendation to council to annex of approximately 30.04 acres located west on Highway 43 North and north of Highway 171; south of River Oak Drive with original zoning designation of C-3 (General Commercial) to council for A-22-03. **Second by Mr. Randolph.** Roll call vote was as follows: Mr. Roland-Yes; Mr. Randolph-Yes; Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes; and Mr. Ward-Yes **Motion Carried**.

S-09-22, S-12-22 Hunter Creek Road
SP-02-22 Nibroc Development LLC

Chairman Kemp stated that these items are all related on the agenda and asked that the representative to come forward to address the commission.

Jason Walker with TTL, 2890 Rice Mine Road, would like to request a continuous of the items from issues that have arisen over the last few days. He would like to table all three items till the July 2022 meeting.

Ms. Ramm stated this would service as a notification to the public.

Motion by Ms. Dykes to table S-09-22, S-12-22 and SP-02-22 till the July 12,2022 meeting. **Second by Mr. Lewis.** Roll call vote as follows: Ms. Dykes-Yes; Mr. Lewis-Yes; Mr. Kemp-Yes; Mr. Randolph-Yes; Mr. Roland-Yes, and Mr. Ward- Yes. **Motion Carried.**

R-22-06 Christopher Dobbs-

Mrs. Ramm stated Christopher Dobbs requests rezoning of approximately 9.11 acres east of Highway 69, north of Hammertown Road from C-3 (General Commercial) to RS-SD (Residential Single Family-Special District).

Bruce Higginbotham with Porter-Higginbotham, 2009 Paul Bryant Drive, stated we are doing some cleanup of our Master Development plan and would now like to reduce the C-3 zoned portion from 15.26 acres down 9.11 acres to rezone to RS-SD and leaving the remainder of 6.15 acres as C-3 zoned. The intent is for the commercial property to be along the Highway 69.

Chairman Kemp opened the public hearing.

Stan Acker, Tuscaloosa County Commissioner-District 1, 15705 Cove Circle, stated in the initial plan there is a connection between the City and County on Hammertown Road. Mr. Acker requested that all work be done in conjunction with the County Road and Engineering Department and myself, if there is any plan to connect.

Daphne Pinion Melvin, 4800 Dove Creek Avenue, is excited about the new development but asked the commission to proceed with caution with the undeveloped land and the disturbance with the property.

With no one else appearing to speak on this matter, Chairman Kemp closed the public hearing.

Mr. Randolph asked if the development will go all the way to Highway 69.

Mr. Higginbotham stated the C-3 is adjacent to Highway 69 and the part of the rezoning will be of the original C-3. The zoning for the RS-SD, which will reduce the zoning of commercial, will fall behind C-3.

Mr. Randolph asked what is the depth of the northern most property across from Old Field Circle.

Mr. Higginbotham stated that the master plan leaves this portion of the property more decorative.

Mr. Randolph asked it this would be the main entrance for the area.

Mr. Higginbotham stated that this is the main entrance and will be shown in the Master Development Plan and the Preliminary Plat for Phase 1. They have been in contact with ALDOT for the improvements to Highway 69 and will be working with them, as well.

Motion by Mr. Randolph to recommend to council the rezoning of approximately 9.11 acres located east of Highway 69, north of Hammertown Road from C-3 (General Commercial) to RS-SD (Residential Single Family-Special District). **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Randolph-Yes; Mr. Kemp-Yes; Ms. Dykes-Yes; Mr. Lewis-Yes; Mr. Roland-Yes; and Mr. Ward-Yes **Motion Carried**.

XI. CITIZEN COMMUNICATION –

<u>Ken Faught – Mini Storages</u>

Mr. Ken Faught, 2615 6th Street, spoke regarding Northcreek Boulevard property and the Northcreek Mini Storage. Mr. Faught stated with all the residential homes and the development of a mini storage, we would like to work with Northport. When the property was acquired, mini storage was allowed in C-3. Since that time. The zoning ordinance has changes and does not allow mini storage in C-3. The property owners would like to develop additional min storage with a small retail component. Mr. Faught stated that they will be retailing items for storage to customers. They need the guidance as to a rezoning or a variance for this property.

Mr. Kemp stated that the drawings that Mr. Faught passed out was the drawing of a mini storage. This commission made a recommendation to the council on the placement on where mini storages are allowed.

Mrs. Ramm stated in 2020, Planning Commission recommended that mini storages be allowed in C-6 as a conditional use and M-1 as a permitted use. Prior to this they were allowed in C-3 as a conditional use. The by-laws for the Zoning Board does not allow them to approve a use variance that is not allow in the current zoning district. The property at the corner of Highway 43 and Northcreek Blvd. is grandfathered as a non-conforming use.

Steven Dill with Pritchet Moore Real Estate, 1120 Queen City Avenue, stated when the site was sold in 2018 & 2019 mini storage was allowed in this zone. It was dictated to the developer regarding the appearance of the site. The issue is Northport has islands around the City. A developer will then go to the County to buy and develop for a cheaper price and cheaper look and the City of Northport, and its citizen, will still have to see this. The City should look at what is best for Northport. We have created a bigger problem for the City. He would like for this body to change the zoning back to C-3.

Mr. Kemp stated he would like to check with Legal and Council on what can be done. Not stating that this will be done but will look further into it.

XII. DISCUSSION –

Mr. Kemp stated that we as the commission need to elect a Vice-Chairman for the board.

Ms. Dykes has expressed an interest.

<u>Motion by Mr. Kemp</u> to nominate Ms. Dykes as the Vice-Chairman to the Planning Commission Board. **<u>Seconded by Mr. Roland.</u>** Roll call vote as follows: Mr. Kemp-Yes; Mr. Roland-Yes; Ms. Dykes-Yes; Mr. Lewis-Yes; Mr. Randolph-Yes; and Mr. Ward-Yes. **<u>Motion Carried.</u>**

XII. ADJOURNMENT – Motion by Ms. Dykes with a second by Mr. Lewis to adjourn the meeting. By voice vote the meeting was adjourned.

David Kemp, Chairman

ATTEST:

Julie Ramm, Secretary