

**AGENDA
NORTHPORT PLANNING AND ZONING COMMISSION
TUESDAY, FEBRUARY 14, 2023**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION**
- 4. APPROVAL OF MINUTES**
 - A. Approval of the December 13, 2022 minutes**
- 5. APPROVAL OF THE AGENDA**
 - A. Approval of the February 14, 2023 agenda**
- 6. VERIFICATION OF PROPER NOTIFICATION**
- 7. VERIFICATION OF NO CONFLICT OF INTEREST**
- 8. OLD BUSINESS**
 - A. By-laws Amendment**
- 9. NEW BUSINESS**
 - A. Rehearing – Northcreek Properties Rezoning Request – Brasher Holdings is requesting a rehearing of R-22-04 and R-22-07 to rezone approximately 72 acres located at the east dead end of Northcreek Boulevard.**
 - B. R-1-23 Northcreek Properties, LLC – Brasher Holdings, LLC is requesting rezoning of approximately 2.3 acres located at the east dead end of Northcreek Boulevard from C-3(General Commercial) to RS-3(Residential Single - Family).**
 - C. R-2-23 Sullivan Properties, LLC – Brasher Holdings, LLC is requesting rezoning of approximately 14 acres located at the east dead end of Northcreek Boulevard from RS-1(Residential Single - Family) to RS-3(Residential Single-Family), for phase II of The Terrace at Northcreek development.**
 - D. R-3-23 Sullivan Properties, LLC – Brasher Holdings, LLC is requesting rezoning of approximately 55.28 acres located at the east dead end of Northcreek Boulevard from RS-1(Residential Single - Family) to RS-4 (Residential Single - Family), for phases III-V of The Terrace at Northcreek development.**

- E. S-2-23 The Terrace at Northcreek – Brasher Holdings, LLC is requesting a revision to the Master Plan for approximately 72.22 acres for Phases II -V located at the east dead end of Northcreek Boulevard.
- F. S-3-23 The Terrace at Northcreek – Brasher Holdings, LLC is requesting Preliminary Plat approval for 17.2 acres for Phase II located at east dead end of Northcreek Boulevard.
- G. AMD 01-23 Zoning Ordinance – The City of Northport proposes changes to the Zoning Ordinance amending Table 4-1 and 4-2 pertaining to recreational uses.

10. DISCUSSION

- A. Workforce Housing Presentation
- B. March PZC Meeting

11. CITIZEN COMMUNICATIONS

12. ADJOURNMENT

Northport Planning and Zoning Commission Meeting Procedures

- Chairman will call meeting to order and proceed through all opening business (i.e. Roll Call through Verification of No Conflict of Interest)
- Chairman will proceed through each case as follows:
 - Staff will provide an explanation of the case
 - Applicant will be given an opportunity to address the commission
 - Chairman will open public hearing (for those items requiring same)
 - Members of the public wishing to speak will be allowed three (3) minutes each to address the commission. NOTE: Large groups may wish to, but are not required to, appoint a spokesperson for the group in which case the Chair may grant them additional time to speak.
 - Chairman will then close the public hearing and give the applicant and/or staff an opportunity to comment on issues brought out during public comment.
 - Chairman will then ask for comments or questions from the members of the Commission.
 - The Commission members may make comments or ask questions of anyone present to clarify issues or provide additional information.
 - Chairman will then call for a motion, and a second on the motion.
 - A motion and second by any member is only a procedure used to bring the matter up for discussion and vote. A member making the motion or second may vote either for or against the matter
 - A roll call vote will be taken and the result of said vote will be announced.
 - Recommendations to the City Council, such as rezonings or annexations, may be approved by a majority of the members present and voting.
 - By Alabama Law, a subdivision matter must receive six (6) affirmative votes
- The above procedure will be followed for each case requiring a public hearing. Items not requiring a public hearing will be discussed amongst the Commission and action taken as is appropriate. (This includes "Other Business", "Citizens Communication", etc.)
- Upon completion of all business items the Chairman will call for a motion to adjourn, and conclude the meeting.

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, DECEMBER 13, 2022**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, December 13, 2022, in the Municipal Court Room at the Northport Public Safety Building.

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. David Kemp, Mr. Roland Lewis, Mr. Clay Randolph, Mr. Jason Ward, Mr. Kevin Turner, Mr. Ernest O'Rourke and Ms. Tracey Kelly. Absent and failing to vote was Mr. Scott Roland. Staff present were Mrs. Julie Ramm, Planning Director, Shaun Patten, Zoning Administrator, Meredith Mullins, Planner I, Brad Matthews, Senior Engineer, and Chris Cunningham, Assistant City Attorney, and Ron Davis, City Attorney.

Approval of Agenda – Motion by Mr. Turner to approve the December 13, 2022, agenda. **Second by Mr. Lewis.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Lewis; Ms. Dykes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; and Mr. Ward – Yes; **Motion Carried**

Approval of the Minutes – Motion by Ms. Dykes to approve the November 8, 2022, minutes. **Second by Mr. Turner.** Roll call vote was as follows: Ms. Dykes – Yes; Mr. Turner – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mrs. Kelly; Mr. Randolph – Yes; and Mr. Jason Ward – Yes; **Motion Carried.**

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

Verification of No Conflict of Interest – Mr. Clay Randolph had a conflict of interest on items A & B.

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

NEW BUSINESS

- a. R-22-11 RSVY of Lots 50-53 The Quinns Town Subdivision** - Foster and Herring, LLC requests rezoning of approximately 1.67 acres located at 3514 14th Street from RS-4 (Single Family Residential) and M-1 (Light Industrial) to OI (Office Institutional).

Julie Ramm stated this request does meet the requirements to rezoning

Kenny Herring, 4720 University Blvd. representing AOH Church, stated this is a part of a two-part submission. We are trying to rezone the parcel that the church sits on to its actual zoning. Bring the zoning to OI will allow the parcel to be zoned for what it is used for.

Chairman Kemp opened the public hearing.

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

Julie Ramm stated the church's intent is to expand the church's facility and the rezoning would allow for that.

Motion by Ms. Dykes to recommend to council the rezoning of approximately 1.67 acres located at 3514 14th Street from RS-4 and M-1 to OI. **Second by Mr. Turner**. Roll call vote was as follows: Ms. Dykes – Yes; Mr. Turner- Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis - Yes; Mr. O’Rourke – Yes; and Mr. Ward – Yes; **Motion Carried.**

b. **S-22-22 RSVY of Lots 50-53 The Quinns Town Subdivision** - Foster and Herring, LLC request Preliminary Plat approval of approximately 1.67 acres located at 3514 14th Street.

Julie Ramm stated that this was the plat that Mr. Herring was referring to in the rezoning request. The Preliminary Plat will resurvey Lots 50-53 of the Quinns Town Subdivision. The petitioner is requesting two waivers, sidewalks, and right of away dedication. There was a waiver on the plat that was requested for half street improvements, but we as staff have determine that is not needed.

Ms. Dykes asked where the nearest sidewalks where in terms to this location. Mrs. Ramm stated the closest sidewalks are at 30th Avenue and 5th street near West Circle

Mr. Turner asked if approving this plat with setbacks and the building already in the setbacks, would this need anything additional. Mr. Herring stated that they are requesting a variance with the Zoning Board of Adjustments for their setbacks.

Mr. Lewis asked if they are just expanding the church property all the way across. Mr. Herring stated yes.

Chairman Kemp opened the public hearing.

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

Motion by Mr. Turner to approve the Preliminary Plat of approximately 1.67 acres located at 3514 14th Street with including the requested waivers. **Second by Ms. Dykes**. Roll call vote was as follows: Mr. Turner- Yes; Ms. Dykes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – No; Mr. O’Rourke - Yes; and Mr. Ward – Yes. **Motion Carried.**

I. CITIZEN COMMUNICATIONS

II. DISCUSSION

The election of the 2023-year discussion:

Kevin Turner nominated Councilwoman Jamie Dykes as the Chairperson for the 2023 year.

Motion by Mr. Turner to nominate Jamie Dykes for Chairperson of the Planning and Zoning Board for 2023 year. **Second by Mr. Lewis**. Roll call vote was as follows: Mr. Turner- Yes; Mr. Lewis - Yes; Ms. Dykes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; Mr. O’Rourke - Yes; and Mr. Ward – Yes. **Motion Carried.**

Jamie Dykes nominated Kevin Turner as the Vice-Chair for the 2023 year.

Motion by Ms. Dykes to nominate Kevin Turner for Vice-Chairman of the Planning and Zoning Board for the 2023 year. **Second by Mr. Lewis.** Roll call vote was as follows: Ms. Dykes- Yes; Mr. Lewis - Yes; Mr. Turner – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; Mr. O’Rourke - Yes; and Mr. Ward – Yes.

Motion Carried.

Draft of Bi-laws are giving.

Kevin Turner asked the Commission members o look over the draft by laws and give any comments to Mrs. Ramm by January 1, 2023. Jamie Dykes asked that all correspondence with staff go through the Planning Director to keep everything clean and in line.

XII. ADJOURNMENT – By Ms. Dykes and seconded by Mr. Lewis the meeting was adjourned.

David Kemp, Chairman

ATTEST:

Julie Ramm, Secretary



**CITY OF NORTHPORT
PLANNING AND ZONING COMMISSION
RULES FOR THE TRANSACTION OF BUSINESS (BYLAWS)**

ARTICLE I – POWERS, DUTIES, AND COMPOSITION

The powers, duties, and composition of the City of Northport Planning and Zoning Commission (hereafter referred to as “the Commission”) shall be as specified in Title 11 Chapter 52 of the Code of Alabama 1975, as amended, and those powers and duties delegated to the Commission by the City Council of the City of Northport.

ARTICLE II – OFFICERS AND THEIR DUTIES

- a. The officers of the Commission shall consist of a Chairman, a Vice-Chairman, and a Secretary.
- b. The Commission shall elect its Chairman and Vice-Chairman from among the appointed members. The term of offices of the Chairman and Vice-Chairman shall be one year, with eligibility for reelection. Officer elections shall be held during the regularly scheduled December meeting of each year, and the new officers will begin their term of office at the next scheduled meeting after their election. If elections are unable to be held during the regularly scheduled December meeting, then they shall be held at the next available meeting.
- c. In the event the Chairman resigns, or the position is otherwise vacated, then the Vice-Chairman shall fill the unexpired term of the office of Chairman and the Commission shall elect a new Vice-Chairman for the remainder of the unexpired term of the Vice-Chairman.
- d. The Chairman shall preside at all meetings and hearings of the Commission and shall decide all points of order or procedure and perform any duties required by law, ordinance, these rules, or the Commission. The Vice-Chairman shall preside in the absence of the Chairman. In the event that neither the Chairman nor Vice-Chairman is present or unable to act, an Acting Chairman shall be chosen from among the members present for that meeting.
- e. The Chairman shall have the authority to appoint any committees as deemed necessary to assist the Commission in the execution of its responsibilities. Such committees shall be advisory only and shall report back to the Commission such information as requested.
- f. The Secretary of the Commission shall be the Director of Planning and Inspections, or a staff member as designated by the Director. The Secretary shall keep the minutes and records of the Commission, prepare the agenda of meetings with the Chairman, provide and arrange notice of meetings, attend to correspondence of the Commission, and other duties as may be assigned by the Commission.

ARTICLE III – MEETINGS

- a. Regular meetings shall be held on the second Tuesday of each month at 6:00 p.m. at Northport City Hall in the Council Chambers. In the event of conflict with holidays or other events, a majority vote of the Commission may change the date of a meeting. Special called meetings may be called by the Chairman as needed.
- b. Not fewer than five (5) members shall be a quorum for the conduct of official business. The adoption of the master plan for the physical development of the City or any such part or amendment or extension or addition to said plan, including approval of any subdivision plat, shall be by the affirmative votes of not less than six (6) members.
- c. In cases involving annexation, rezoning, conditional use or change in the text of the Zoning Ordinance of the City of Northport, the affirmative vote of a majority of the Commission present is necessary to provide a favorable recommendation to the Northport City Council.
- d. The Commission shall follow the rules contained in the latest edition of *Robert's Rules of Order* in cases they are applicable and not inconsistent with these rules, or other applicable rules, regulations, or laws.
- e. The order of business at regular meetings should generally follow the order stated below, but may be changed at the discretion of the Chairman:
 - i. Call to order (including invocation)
 - ii. Roll call and establishment of a quorum
 - iii. Introductions and meeting procedures
 - iv. Approval of minutes of previous meeting(s)
 - v. Verification of no conflict of interest
 - vi. Verification of proper notification
 - vii. Old business
 - viii. New business, including any public hearing required with each agenda item.
 - ix. Committee reports
 - x. Other and miscellaneous business
 - xi. Adjournment
- f. Presentation of items should generally follow the order stated below, but may be changed at the discretion of the Chairman:
 - i. The Chairman calls for the next agenda item.
 - ii. Staff provides a summary of the case and answers any questions from the Commission.
 - iii. The applicant or petitioner presents his or her request and provides information in support of the application and answers any questions from the Commission.
 - iv. If a public hearing is needed, the Chairman will ask for anyone present who would like to provide input regarding the request.
 - v. The Commission members may discuss details and issues raised, and may ask questions of the applicant, city staff, or other parties.
 - vi. The Chairman will call for a motion to be read and a second, and the Chairman may ask if further discussion by the Commission is needed.
 - Motions for a vote and second will be made for each item in a positive fashion. The purpose of which is to allow the Commission to vote on a motion. Members making the motion or second are not obligated to vote in the affirmative for said motion.

- Waivers may be added to the motion for approval of a preliminary plat if listed verbally in the motion. If it is requested by any member of the Commission, the waivers shall be voted on individually or in a group prior to the vote on the preliminary plat.
- vii. The Chairman will call for a roll call vote.

g. Meeting Decorum

- i. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity, and good taste. All comments, questions, or remarks shall be addressed to the Chairman or the Commission as a body and not to members of the audience, petitioner, or city staff. Interested parties or their representatives may address the Commission by written communications, a copy of which shall be provided to the Secretary either before or during the meeting.
- ii. Those wishing to speak for or against the petition may address the Commission for no longer than three (3) minutes, provided that the Chairman has the discretion to grant additional time to a speaker who is presenting pertinent material or whose presentation is incomplete after the expiration of time. Speakers may be interrupted by any member of the Commission for clarification or additional information, but those interruptions will not count against the speaker's time. At the discretion of the Chairman, a speaker may address the Commission a second time, but only after all others have been given an opportunity to speak. The Chairman may also grant additional time to an individual representing a homeowners' association or other large group.
- iii. The Chairman reserves the right to require an individual wishing to speak on behalf of another person, group, or entity to provide written authorization to the Commission from the person, group, or entity being represented.
- iv. Speakers and other members of the public shall not approach the Commission dais or any Commission member during the meeting without express permission from the Chairman.

h. All meetings of the Commission shall be open to the public.

- i. Notice of meetings and public hearings shall be performed as specified in Title 11, Chapter 52 of the Code of Alabama 1975, as amended, and/or as required by the Alabama Open Meetings Act. The Secretary may employ supplemental notification procedures (yard signs, electronic notification, etc.) to ensure that the interested parties are aware of pending cases, but the failure of any such supplemental notification procedures shall not invalidate any lawful action or decision of the Commission.

ARTICLE IV – CONTINUING, WITHDRAWING, AND RECONSIDERATION OF CASES

- a. The Commission may, on its own motion, continue the hearing on any petition other than a subdivision plat to such future dates as it may determine, and it may give consideration to written requests from petitioners for such continuation. A petitioner may request to have a scheduled hearing on any petition continued to the following month with the following stipulations:
 - i. Prior to the mailing of notice of the Commission meeting, a petitioner may notify the Secretary in writing to request a continuance of the petition or subdivision plat to the following month. The Secretary will note on the legal notice that the case has been continued to the following month.
 - ii. After the mailing of notice of the Commission meeting, a petitioner may notify the Secretary in writing to request a continuance of the petition or subdivision plat, though the petitioner must be present at the meeting to formally request such continuance. The Commission shall have the sole discretion to grant or deny a continuance. The petitioner will be responsible for any additional mailing fees and expenses.

- iii. If during the course of the Commission meeting, the petitioner requests that the petition be continued, the Commission shall vote to grant or deny such request.
 - iv. The continuation of a case by the petitioner for more than two (2) consecutive months shall be deemed the withdrawal of such petition, and the Secretary shall not add the petition to a Commission meeting agenda until a new application has been submitted and any/all associated fees paid.
- b. A petitioner may request to have a scheduled hearing on any petition withdrawn with the following stipulations:
 - i. Prior to the mailing of notice of the Commission meeting, a petitioner may notify the Secretary in writing to request the withdrawal of the petition or subdivision plat. The Secretary will note on the legal notice that the case or plat has been withdrawn.
 - ii. After the mailing of notice of the Commission meeting, a petitioner may notify the Secretary in writing to request a withdrawal of the petition or subdivision plat, though the petitioner must be present at the meeting to formally request such withdrawal. The Commission shall have the sole discretion to grant or deny a withdrawal.
 - iii. If during the course of the Commission meeting, the petitioner requests that the petition be withdrawn, the Commission shall vote to grant or deny such request.
 - iv. A new application fee and any other associated fees shall be required in order to resubmit a petition that has been withdrawn.
- c. No petition which has been denied by the Commission or City Council or not favorably recommended by the Commission to the City Council shall be placed on the agenda for consideration by the Commission within a period of twelve (12) months from the date of the prior decision, except under the following stipulations:
 - i. Prior to the publication of the legal notice, a petitioner must notify the Secretary in writing to request that a reconsideration of a previously denied/unfavorably recommended case be placed on the agenda.
 - ii. The petitioner shall be responsible for producing any supplemental documentation to be included with their reconsideration request and shall be responsible for presenting their request to the Commission.
 - iii. The Commission will hear the request and determine if there has been a substantial change in the facts (including new relevant or different information) of the case, evidence or circumstances of the case that early reconsideration is necessary to prevent undue hardship to the petitioner, and the early consideration will not result in an undue hardship on the Commission or other affected parties. An affirmative vote of five (5) members of the Commission is needed to grant the reconsideration request.
 - iv. If the Commission votes to grant the reconsideration request, the petitioner shall submit a new application and pay any/all associated fees. If circumstances arise wherein the reconsideration request is granted by the Commission and the submittal deadline has passed for the next Commission meeting, the petitioner shall be allowed to submit their application by 5:00 p.m. on the next business day following the approval of the reconsideration request.

ARTICLE V – CONFLICTS OF INTEREST AND MEMBER CONDUCT

- a. If a Commission member has a direct personal interest, pecuniary interest, or other conflict with an agenda item, the member shall note the conflict, recuse himself or herself, and leave the room during discussion and voting on the item.

- b. Commission members are advised to not discuss pending cases with members of the public outside of the public meeting, and if attempted ex parte contact persists, the member should disclose such contact at the Commission meeting. Members may gather relevant information regarding an agenda item, including making site visits as allowed in Title 11, Chapter 52 of the Code of Alabama 1975, if such information will aid in making an informed, objective decision. Any written material received by members shall be given to the Secretary for incorporation into the files.
- c. Commission members shall avoid all improper conduct and the appearance of impropriety before, during, and after a public hearing including showing bias for or against a petitioner, individual, or group, and criticizing the vote or comments of any member of the Commission or ultimately the City Council.

ARTICLE VI – AMENDING AND REVIEW OF RULES

- a. Amendments to these rules shall require the affirmative vote of six (6) members of the Commission.
- b. The Commission shall review these rules annually at the same meeting as officer elections.

AMENDED, this the 10th day of January, 2023

Jamie Dykes, Chair

ATTEST:

Julie Ramm, Secretary

City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: R-22-04 & R-22-07
Applicant: Brasher Holdings, LLC
Location: The Terrace at Northcreek
Request: Rehearing of Rezoning request

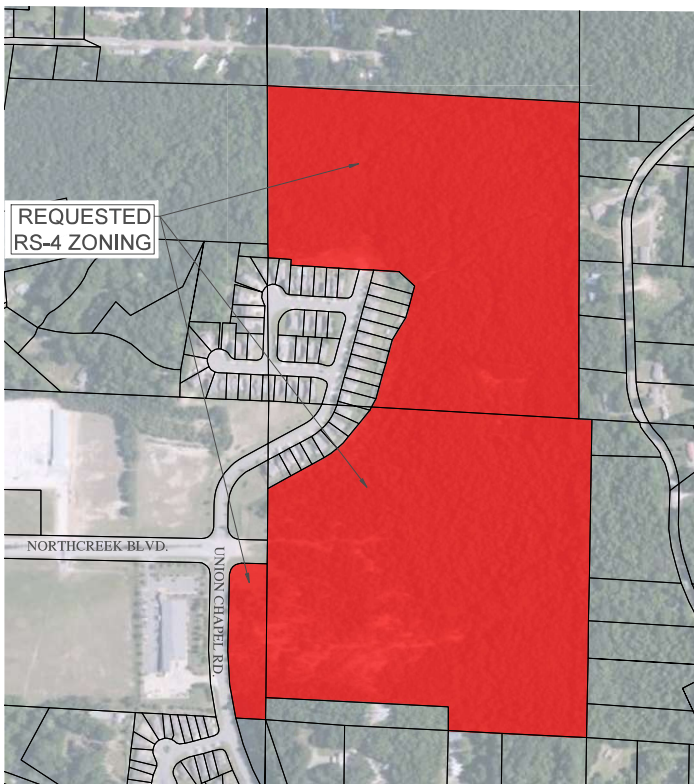
Brasher Holdings, LLC requests a rehearing of Rezoning Cases R-22-04 and R-22-07 that came before the Planning Commission on August 9, 2022. At that meeting, the motion for a favorable recommendation on Rezoning Case R-22-04 failed. The motion for a favorable recommendation for Rezoning Case R-22-07 received a neutral recommendation with a tie vote. The applicant requested both cases proceed to the City Council without favorable recommendations from the Planning Commission. Second readings for the rezoning cases were heard by the City Council on October 24, 2022. Both cases died for the lack of a motion.

The Planning Commission's by-laws state the following concerning rehearings of cases:
Annexations, Rezoning, Zoning Text Amendments, and Amendments to Comprehensive Plan:
When a petition or other case for an annexation, a change in the zoning text or the zoning map, or an amendment to the Northport Comprehensive Plan receives a negative recommendation to the City Council by the Northport Planning and Zoning Commission said rezoning petition or other case shall not be reconsidered by the Commission for a period of one (1) year from the time of the negative ruling, unless, by the concurring vote of five (5) members, the Commission determines that there has been a substantial change in the facts (including relevant new or different information), evidence or circumstances of the case to the extent that early reconsideration is necessary to prevent undue hardship to the petitioner and will not result in an undue hardship on the Commission or other affected parties.

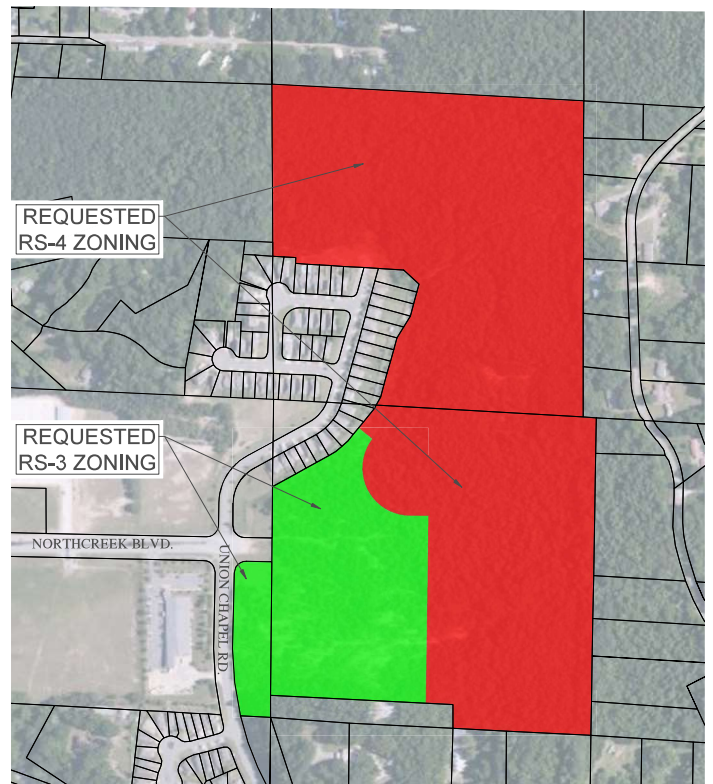
Because this request comes within one year of the original hearing, the applicant must demonstrate to the Commission there has been a substantial change in the rezoning requests and, by a vote of the Commission, five members must concur to rehear the rezoning requests.

CITY OF NORTHPORT PLANNING & ZONING COMMISSION

ORIGINAL REQUEST:



CURRENT REQUEST:



City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: R-1-23
Applicant: Brasher Holdings, LLC
Location: The Terrace at Northcreek
Request: Rezoning

Brasher Holdings, LLC requests rezoning of approximately 2 acres located at the east end of Northcreek Boulevard. The property is currently zoned C-3 (General Commercial). The petitioner is requesting RS-3 (Single Family Residential). The property meets the requirements for rezoning.

Any action on this item will be a recommendation to the City Council.

DEADLINE FOR SUBMITTAL IS NOON ON _____

HEARING DATE _____

APPLICATION FOR REZONING**CITY OF NORTHPORT PLANNING DEPARTMENT**

3500 McFarland Blvd., Northport, AL 35476

(205) 333-3002/FAX (205) 333-3046

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

Brasher Holdings, LLC

APPLICANT NAME

31 Dogwood Drive

Chelsea, AL 35043

ADDRESS

(205) 337-5690

DAYTIME TELEPHONE**FAX NUMBER**

chip@brasherholdings.com

EMAIL

OFFICE USE ONLY

ADDRESS (if applicable):

CURRENT ZONING DISTRICT:

REQUESTED ZONING DISTRICT

GROSS SITE AREA

ac./s.f.

CASE #

X-REF CASE #

NOTE:

1. **(A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.)** If the applicant is not the current owner, then a signed statement allowing the applicant to act as an "authorized agent" must be on file. All associated fees will be charged to the applicant unless otherwise arranged.
2. The applicant must provide a plat or certified survey of the subject property, including a written legal description matching the area to be rezoned (Tax ID# may not be used as a legal description). Applicant must sign a statement certifying that the submitted legal description accurately represents his/her request.
3. The applicant is responsible for providing the Planning Department with the names and addresses of all adjoining property owners, including those across a street or railroad right-of-way, as shown in the public records of Tuscaloosa County. Failure to provide complete and up-to-date information could invalidate any change in zoning granted under this application.
4. The Planning Commission's decision regarding this request will be based on the entire range of permitted uses in the requested zoning district, and not solely on the applicant's proposed use(s).

Current Owner: Northcreek Properties LLCGeneral Location or Address of Subject Property: Located at the east dead end of Northcreek BoulevardCurrent Use: UndevelopedPrior Action(s) on Subject Property: NADescribe briefly the proposed use and character of any proposed development: Residential subdivision

If development is proposed on the property, what other approvals from the City are required? _____

☒ Subdivision ☒ Site Plan ☐ Conditional Use ☐ Variance☐ Other: _____

Member of Planning Department reviewing this application: _____

Required Documents Attached: ☒ Deed ☒ Plat/Survey ☒ Legal Description ☒ APO List

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Northport to notifying the general public of this request and to pay all applicable fees associated with this application.

APPLICANT'S SIGNATURE: DATE: 7/25/2022PRINT NAME: Chip Brasher

Received: _____ Date: _____

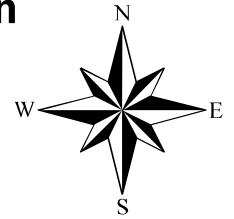
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Zoning

- Agriculture
- General Commercial
- Residential Single-Family - 1
- Residential Single-Family - 4
- Subject Property

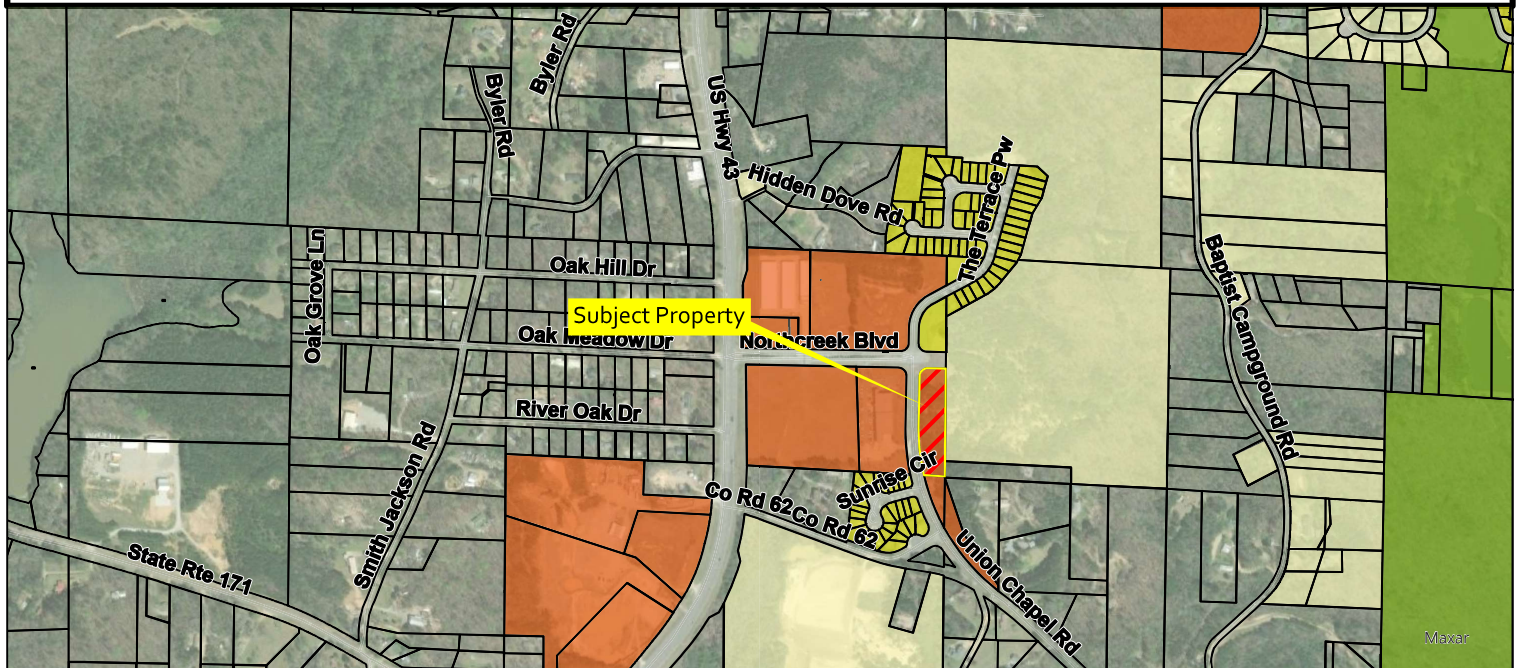
City of Northport Planning & Zoning Commission

Rezoning / Subdivision

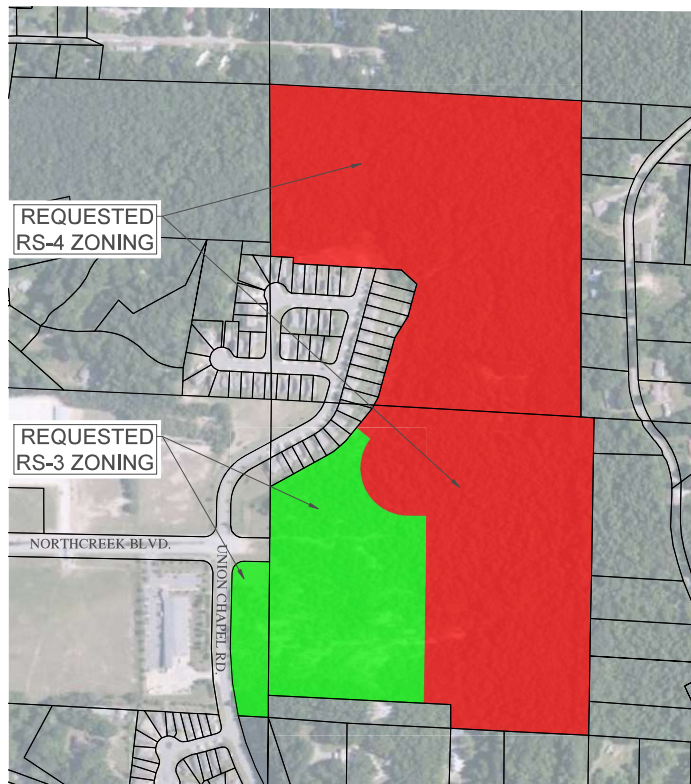


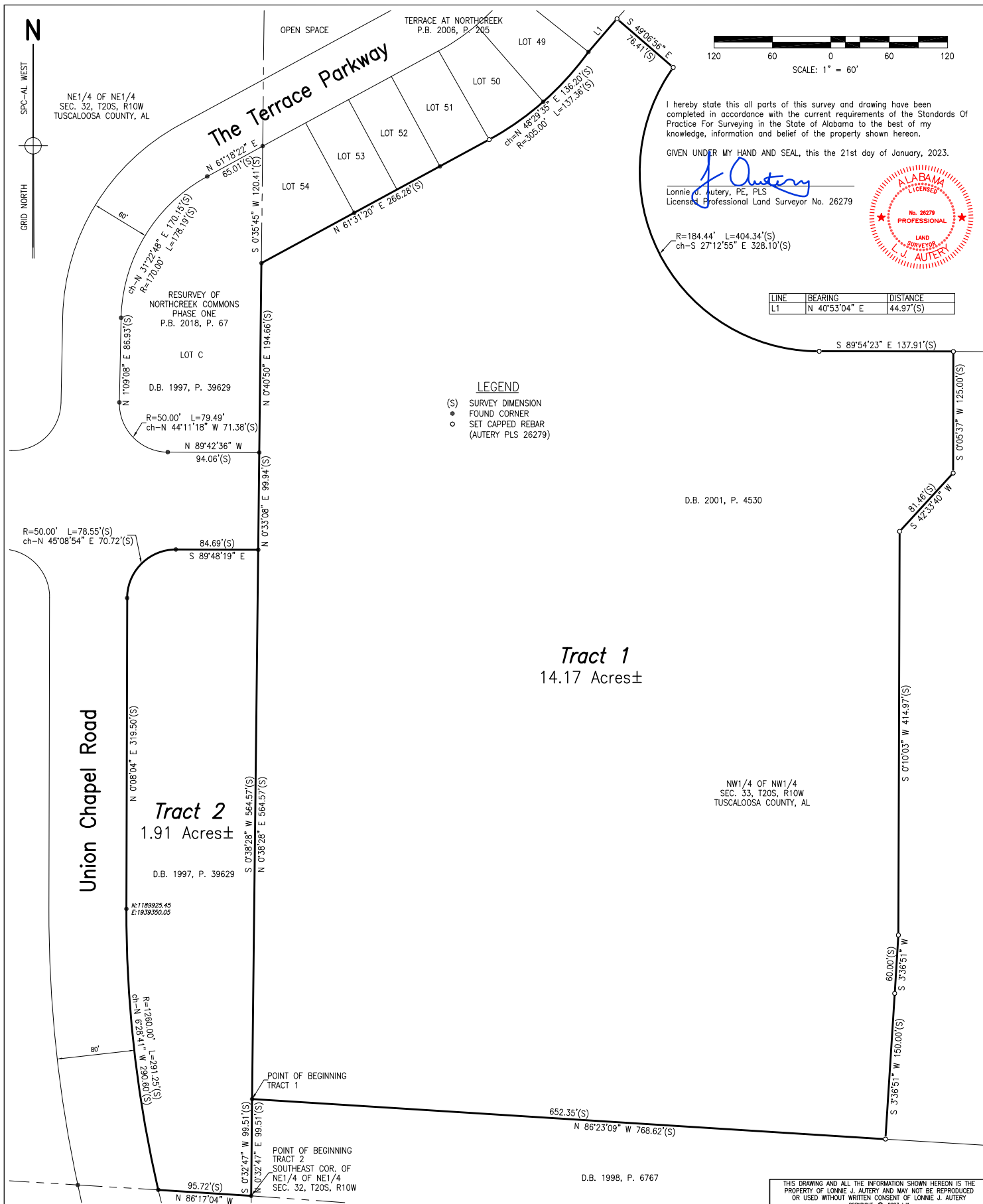
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Feet

While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.



CITY OF NORTHPORT PLANNING & ZONING COMMISSION





I hereby state this all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards Of Practice For Surveying in the State of Alabama to the best of my knowledge, information and belief of the following described property:

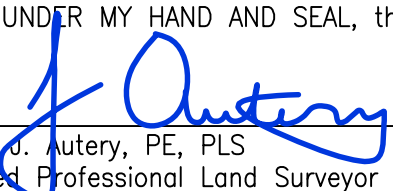
TRACT 1

Commencing at an iron pipe the southeast corner of the NE1/4 of the NE1/4 of Section 32, T20S, R10W, Tuscaloosa County, Alabama; thence run N 0°32'47" E for 99.51 feet along the east line of said Section 32 to an iron bar and the Point of Beginning; thence run N 0°38'28" E for 564.57 feet along said east line to a capped rebar; thence run N 0°33'08" E for 99.94 feet along said east line to a capped rebar; thence run N 0°40'50" E for 194.66 feet along said east line to a capped rebar; thence run N 61°31'20" E for 266.28 feet to a set capped rebar; thence run in a northeasterly direction along the arc of a curve to the left, having a radius of 305.00 feet, an arc length of 137.36 feet, and a chord bearing and distance of N 48°29'35" E, 136.20 feet to a capped rebar; thence run N 40°53'04" E for 44.97 feet to a set capped rebar; thence run S 49°06'56" E for 76.41 feet to a set capped rebar; thence run in a southeasterly direction along the arc of a curve to the left, having a radius of 184.44 feet, an arc length of 404.34 feet, and a chord bearing and distance of S 27°12'55" E, 328.10 feet to a capped rebar; thence run S 89°54'23" E for 137.91 feet to a capped rebar; thence run S 0°05'37" W for 124.91 feet to a capped rebar; thence run S 42°33'40" W for 81.46 feet to a capped rebar; thence run S 0°10'03" W for 414.97 feet to a capped rebar; thence run S 3°36'51" W for 60.00 feet to a capped rebar; thence run S 3°36'51" W for 150.00 feet to a capped rebar; thence run N 86°23'09" W for 652.35 feet to an iron bar; thence run S 0°32'47" W for 99.51 feet to the Point of Beginning. Said described property contains 14.17 acres, more or less, and lies NW1/4 of the NW1/4 of Section 33, T20S, R10W, Tuscaloosa County, Alabama.

TRACT 2

Beginning at an iron pipe the southeast corner of the NE1/4 of the NE1/4 of Section 32, T20S, R10W, Tuscaloosa County, Alabama; thence run N 86°17'04" W for 95.72 feet along the south line of said NE1/4 of the NE1/4 to a capped rebar on the east right-of-way of Union Chapel Road; thence run in a northerly direction along said east right-of-way, being the arc of a curve to the right, having a radius of 1260.00 feet, an arc length of 291.25 feet, and a chord bearing and distance of N 6°28'41" W, 290.60 feet to a capped rebar; thence run N 0°08'04" E for 319.50 feet along said east right-of-way to a capped rebar; thence run in a northeasterly direction, being the arc of a curve to the right, having a radius of 50.00 feet, an arc length of 78.55 feet, and a chord bearing and distance of N 45°08'54" E, 70.72 feet to a capped rebar; thence run S 89°48'19" E for 84.69 feet to a capped rebar on the east line of said NE1/4 of the NE1/4; thence run S 0°38'28" W for 564.57 feet along said east line to an iron bar; thence run S 0°32'47" W for 99.51 feet along said east line to the Point of Beginning. Said described property contains 1.91 acres, more or less, and lies in the NE1/4 of the NE1/4 of Section 32, T20S, R10W, Tuscaloosa County, Alabama.

GIVEN UNDER MY HAND AND SEAL, this the 21st day of January, 2023.


Lonnie J. Autery, PE, PLS
Licensed Professional Land Surveyor No. 26279



ALS **AUTERY**
&E LAND SURVEYING
& ENGINEERING, LLC

1470 NORTHBANK PARKWAY
SUITE 161
TUSCALOOSA, AL 35406

PHONE: (205) 333-2477
DATE SURVEYED: 08/07/2022
EMAIL: jautery@alsurvey.com

SCALE: 1"=60'
PAGE 2 OF 2
JOB NO.: TERRACE

City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: R-2-23
Applicant: Brasher Holdings, LLC
Location: The Terrace at Northcreek
Request: Rezoning

Brasher Holdings, LLC requests rezoning of approximately 14 acres located at the east end of Northcreek Boulevard. The property is currently zoned RS-1 (Single Family Residential). The petitioner is requesting RS-3 (Single Family Residential). The property meets the requirements for rezoning.

Any action on this item will be a recommendation to the City Council.

DEADLINE FOR SUBMITTAL IS NOON ON _____

HEARING DATE _____

APPLICATION FOR REZONING**CITY OF NORTHPORT PLANNING DEPARTMENT**

3500 McFarland Blvd., Northport, AL 35476

(205) 333-3002/FAX (205) 333-3046

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

Brasher Holdings, LLC

APPLICANT NAME

31 Dogwood Drive

Chelsea, AL 35043

ADDRESS

(205) 337-5690

DAYTIME TELEPHONE**FAX NUMBER**

chip@brasherholdings.com

EMAIL

OFFICE USE ONLY

ADDRESS (if applicable):

CURRENT ZONING DISTRICT:

REQUESTED ZONING DISTRICT

GROSS SITE AREA

ac./s.f.

CASE #

X-REF CASE #

NOTE:

1. **(A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.)** If the applicant is not the current owner, then a signed statement allowing the applicant to act as an "authorized agent" must be on file. All associated fees will be charged to the applicant unless otherwise arranged.
2. The applicant must provide a plat or certified survey of the subject property, including a written legal description matching the area to be rezoned (Tax ID# may not be used as a legal description). Applicant must sign a statement certifying that the submitted legal description accurately represents his/her request.
3. The applicant is responsible for providing the Planning Department with the names and addresses of all adjoining property owners, including those across a street or railroad right-of-way, as shown in the public records of Tuscaloosa County. Failure to provide complete and up-to-date information could invalidate any change in zoning granted under this application.
4. The Planning Commission's decision regarding this request will be based on the entire range of permitted uses in the requested zoning district, and not solely on the applicant's proposed use(s).

Current Owner: Northcreek Properties LLCGeneral Location or Address of Subject Property: Located at the east dead end of Northcreek BoulevardCurrent Use: UndevelopedPrior Action(s) on Subject Property: NADescribe briefly the proposed use and character of any proposed development: Residential subdivision

If development is proposed on the property, what other approvals from the City are required? _____

☒ Subdivision ☒ Site Plan ☐ Conditional Use ☐ Variance☐ Other: _____

Member of Planning Department reviewing this application: _____

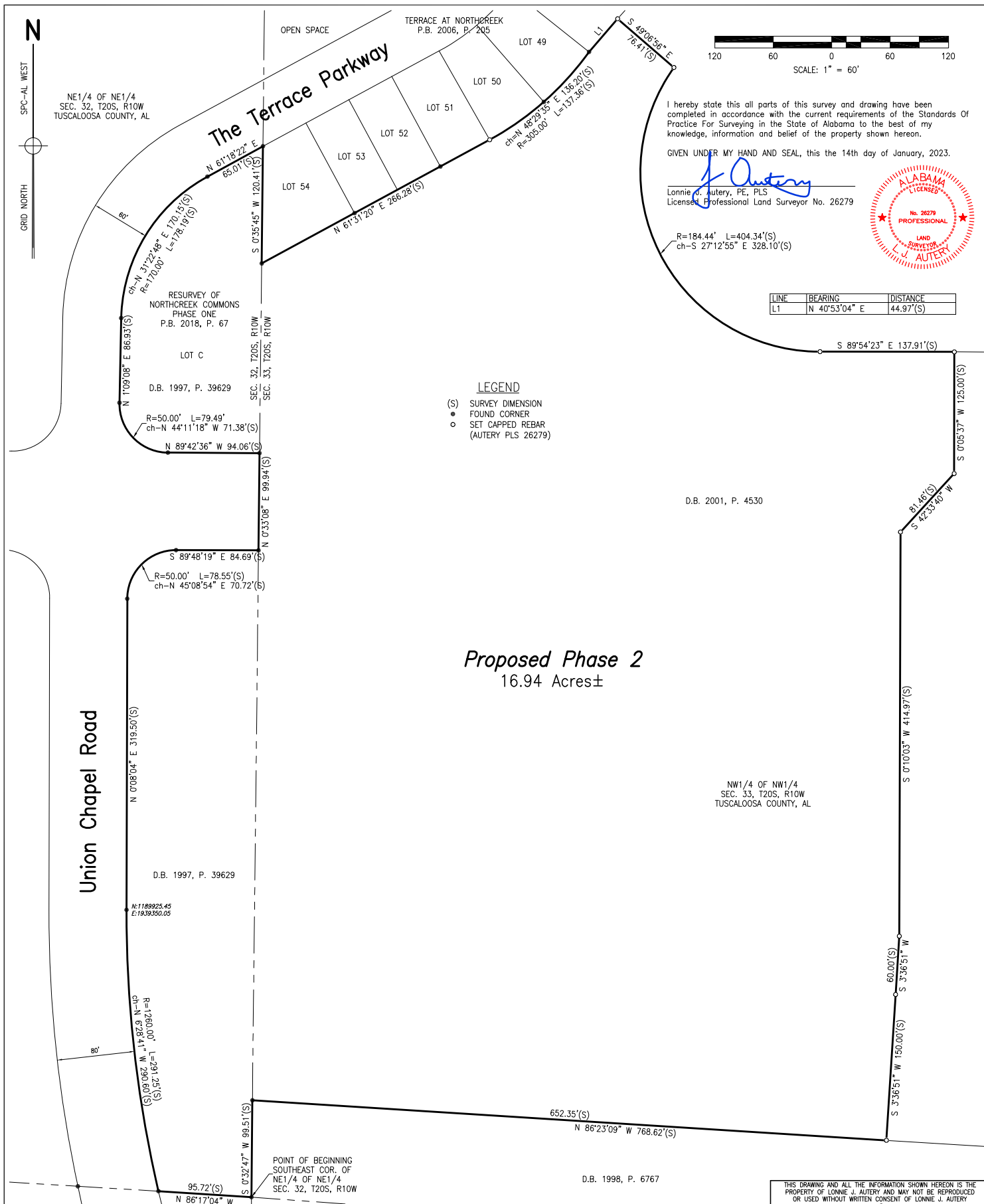
Required Documents Attached: ☒ Deed ☒ Plat/Survey ☒ Legal Description ☒ APO List

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Northport to notifying the general public of this request and to pay all applicable fees associated with this application.

APPLICANT'S SIGNATURE: DATE: 7/25/2022PRINT NAME: Chip Brasher

Received: _____ Date: _____

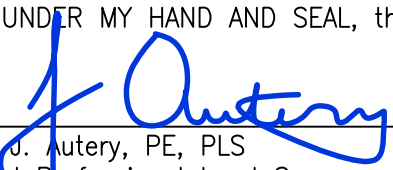
RZRevised 08/12
Page 21 of 47

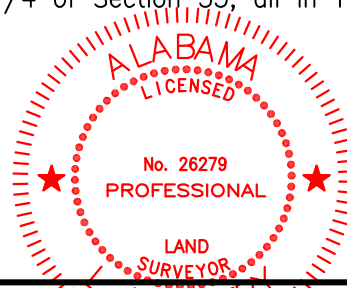


I hereby state this all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards Of Practice For Surveying in the State of Alabama to the best of my knowledge, information and belief of the following described property:

Beginning at an iron pipe the southeast corner of the NE1/4 of the NE1/4 of Section 32, T20S, R10W, Tuscaloosa County, Alabama; thence run N 86°17'04" W for 95.72 feet along the south line of said NE1/4 of the NE1/4 to a capped rebar on the east right-of-way of Union Chapel Road; thence run in a northerly direction along said east right-of-way, being the arc of a curve to the right, having a radius of 1260.00 feet, an arc length of 291.25 feet, and a chord bearing and distance of N 6°28'41" W, 290.60 feet to a capped rebar; thence run N 0°08'04" E for 319.50 feet along said east right-of-way to a capped rebar; thence run in a northeasterly direction, being the arc of a curve to the right, having a radius of 50.00 feet, an arc length of 78.55 feet, and a chord bearing and distance of N 45°08'54" E, 70.72 feet to a capped rebar; thence run S 89°48'19" E for 84.69 feet to a capped rebar on the east line of said NE1/4 of the NE1/4; thence run N 0°33'08" E for 99.94 feet along said east line to a capped rebar; thence run N 89°42'36" W for 94.06 feet to a capped rebar; thence run in a northwesterly direction along the arc of a curve to the right, having a radius of 50.00 feet, an arc length of 79.49 feet, and a chord bearing and distance of N 44°11'18" W, 71.38 feet to a capped rebar on the east right-of-way of The Terrace Parkway; thence run N 1°09'08" E for 86.93 feet along said east right-of-way to a capped rebar; thence run in a northeasterly direction along said east right-of-way, being the arc of a curve to the right, having a radius of 170.00 feet, an arc length of 178.19 feet, and a chord bearing and distance of N 31°22'48" E, 170.15 feet to a capped rebar; thence run N 61°18'22" E for 65.01 feet along said east right-of-way to a capped rebar on said east line of the NE1/4 of the NE1/4; thence run S 0°35'45" W for 120.41 feet along said east line to a capped rebar; thence run N 61°31'20" E for 266.28 feet to a set capped rebar; thence run in a northeasterly direction along the arc of a curve to the left, having a radius of 305.00 feet, an arc length of 137.36 feet, and a chord bearing and distance of N 48°29'35" E, 136.20 feet to a capped rebar; thence run N 40°53'04" E for 44.97 feet to a set capped rebar; thence run S 49°06'56" E for 76.41 feet to a set capped rebar; thence run in a southeasterly direction along the arc of a curve to the left, having a radius of 184.44 feet, an arc length of 404.34 feet, and a chord bearing and distance of S 27°12'55" E, 328.10 feet to a capped rebar; thence run S 89°54'23" E for 137.91 feet to a capped rebar; thence run S 0°05'37" W for 124.91 feet to a capped rebar; thence run S 42°33'40" W for 81.46 feet to a capped rebar; thence run S 0°10'03" W for 414.97 feet to a capped rebar; thence run S 3°36'51" W for 60.00 feet to a capped rebar; thence run S 3°36'51" W for 150.00 feet to a capped rebar; thence run N 86°23'09" W for 652.35 feet to an iron bar; thence run S 0°32'47" W for 99.51 feet to the Point of Beginning. Said described property contains 16.94 acres, more or less, and lies partly in the NE1/4 of the NE1/4 of Section 32 and partly in the NW1/4 of the NW1/4 of Section 33, all in T20S, R10W, Tuscaloosa County, Alabama.

GIVEN UNDER MY HAND AND SEAL, this the 14th day of January, 2023.


Lonnie J. Autery, PE, PLS
Licensed Professional Land Surveyor No. 26279



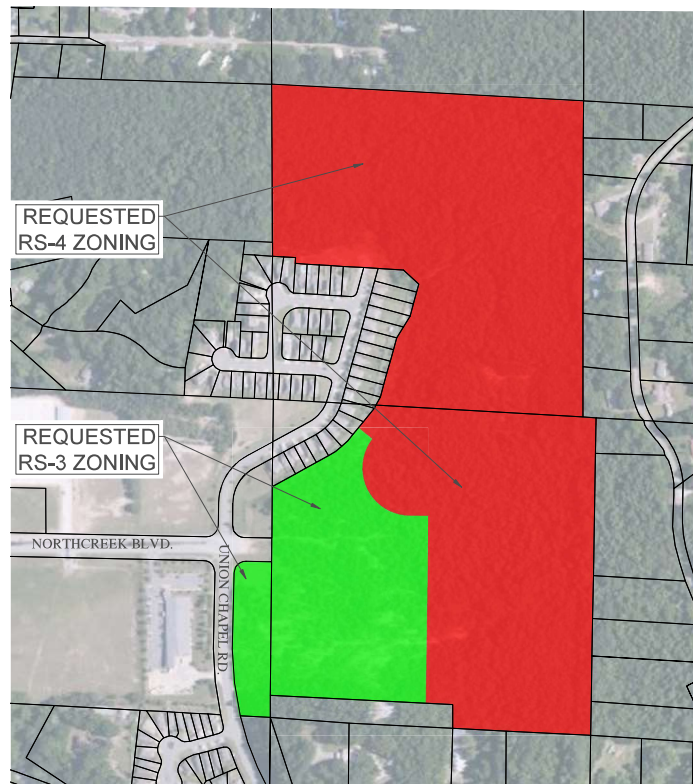
ALS **AUTERY**
&E **LAND SURVEYING**
& ENGINEERING, LLC

1470 NORTHBANK PARKWAY
SUITE 161
TUSCALOOSA, AL 35406

PHONE: (205) 333-2477
DATE SURVEYED: 08/07/2022
EMAIL: jautery@alsurvey.com

SCALE: 1"=60'
PAGE 2 OF 2
JOB NO.: TERRACE

CITY OF NORTHPORT
PLANNING & ZONING COMMISSION



City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: R-3-23
Applicant: Brasher Holdings, LLC
Location: The Terrace at Northcreek
Request: Rezoning

Brasher Holdings, LLC requests rezoning of approximately 55.28 acres located at the east end of Northcreek Boulevard. The property is currently zoned RS-1 (Single Family Residential). The petitioner is requesting RS-4 (Single Family Residential). The property meets the requirements for rezoning.

Any action on this item will be a recommendation to the City Council.

DEADLINE FOR SUBMITTAL IS NOON ON _____

HEARING DATE _____

APPLICATION FOR REZONING**CITY OF NORTHPORT PLANNING DEPARTMENT**

3500 McFarland Blvd., Northport, AL 35476

(205) 333-3002/FAX (205) 333-3046

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

Brasher Holdings, LLC

APPLICANT NAME

31 Dogwood Drive

Chelsea, AL 35043

ADDRESS

(205) 337-5690

DAYTIME TELEPHONE**FAX NUMBER**

chip@brasherholdings.com

EMAIL

OFFICE USE ONLY

ADDRESS (if applicable):

CURRENT ZONING DISTRICT:

REQUESTED ZONING DISTRICT

GROSS SITE AREA

ac./s.f.

CASE #

X-REF CASE #

NOTE:

1. **(A COPY OF THE DEED TO THE SUBJECT PROPERTY MUST BE SUBMITTED WITH THIS APPLICATION.)** If the applicant is not the current owner, then a signed statement allowing the applicant to act as an "authorized agent" must be on file. All associated fees will be charged to the applicant unless otherwise arranged.
2. The applicant must provide a plat or certified survey of the subject property, including a written legal description matching the area to be rezoned (Tax ID# may not be used as a legal description). Applicant must sign a statement certifying that the submitted legal description accurately represents his/her request.
3. The applicant is responsible for providing the Planning Department with the names and addresses of all adjoining property owners, including those across a street or railroad right-of-way, as shown in the public records of Tuscaloosa County. Failure to provide complete and up-to-date information could invalidate any change in zoning granted under this application.
4. The Planning Commission's decision regarding this request will be based on the entire range of permitted uses in the requested zoning district, and not solely on the applicant's proposed use(s).

Current Owner: Northcreek Properties LLCGeneral Location or Address of Subject Property: Located at the east dead end of Northcreek BoulevardCurrent Use: UndevelopedPrior Action(s) on Subject Property: NADescribe briefly the proposed use and character of any proposed development: Residential subdivision

If development is proposed on the property, what other approvals from the City are required? _____

☒ Subdivision ☒ Site Plan ☐ Conditional Use ☐ Variance☐ Other: _____

Member of Planning Department reviewing this application: _____

Required Documents Attached: ☒ Deed ☒ Plat/Survey ☒ Legal Description ☒ APO List

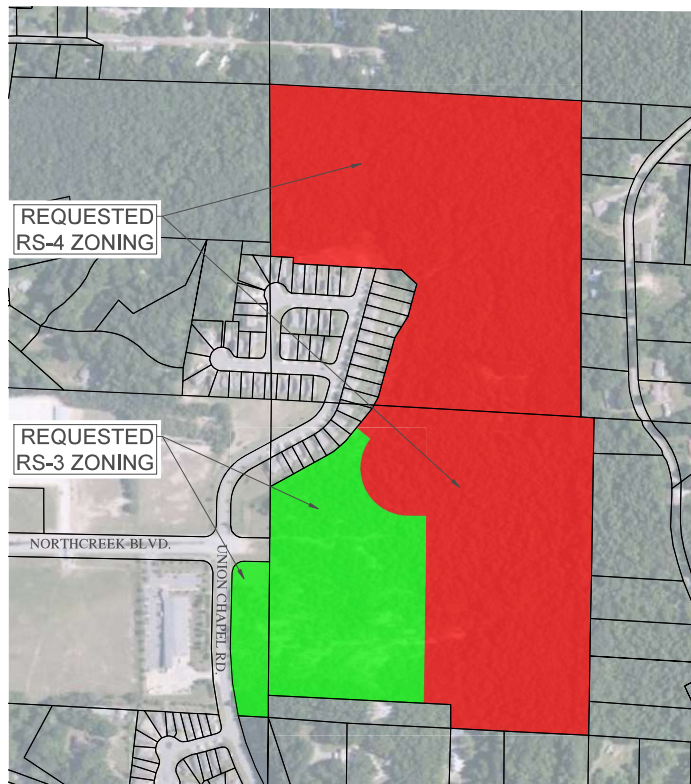
I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Northport to notifying the general public of this request and to pay all applicable fees associated with this application.

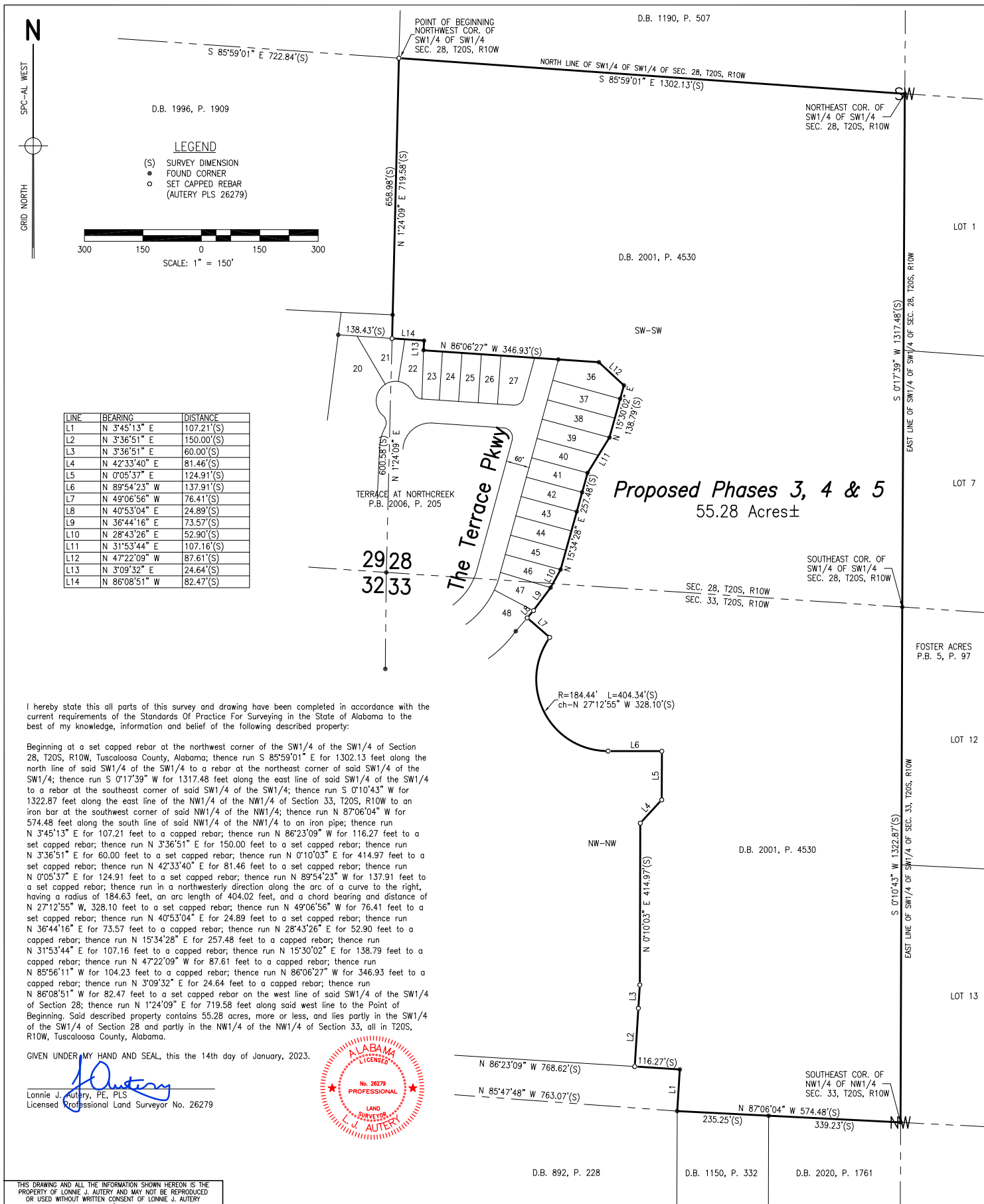
APPLICANT'S SIGNATURE: DATE: 7/25/2022PRINT NAME: Chip Brasher

Received: _____ Date: _____

RZRevised 08/12
Page 26 of 47

CITY OF NORTHPORT PLANNING & ZONING COMMISSION





ALS & E
AUTERY
LAND SURVEYING
& ENGINEERING, LLC

1470 NORTHBANK PARKWAY
SUITE 161
TUSCALOOSA, AL 35406

PHONE: (205) 333-2477
DATE SURVEYED: 08/07/2022
EMAIL: jautery@alsurvey.com

TERRACE AT NORTHCREEK
PROPOSED PHASES 3, 4 & 5

City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: S-2-23 & S-3-23
Applicant: Brasher Holdings, LLC
Location: The Terrace at Northcreek
Request: Revision to Master Plan and Preliminary Plat

Brasher Holdings, LLC is requesting a revision of the Master Plan for The Terrace at Northcreek and Preliminary Plat approval for a development located at east of Northcreek Boulevard and east of Phase I of the Terrace of Northcreek. The master plan consists of 163 residential lots and 9 open space lots with a total acreage of on 72.2 acres. Phase II consists of 34 residential lots and 3 open space lots on 16.66 acres. The petitioner is requesting the following waivers:

Minimum block length
Maximum distance between stub streets

Section 701 of the Subdivision Regulations establishes the minimum block length at 400 feet. The petitioner is proposing a block length of approximately 200 feet in Phase III. The proposed plat meets Sec. 701(2). However, Sec. 701(1) is not met. Section 701 is included below for your reference:

Sec. 701. Block lengths and widths.

Block lengths and widths shall be as follows:

- (1) Blocks shall be no greater than 1,200 feet nor less than 400 feet in length, except in unusual circumstances, and approved by variance by the planning and zoning commission.*
- (2) Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting upon major streets, limited access highways, or railroads or where other situations make this requirement impractical.*

Section 606 of the Subdivision Regulations requires stub streets at intervals between 400 and 1200 feet along the perimeter of the proposed subdivision. The proposed plat provides one stub street to the land adjacent to the east. This stub street would need to be extended to the property line. However, no connection is made to the properties to the north and south and the linear distance of 1200 feet in the subdivision regulations is exceeded.

Sec. 606. - Stub streets.

Where a proposed subdivision abuts unplatted land, the developer shall provide streets stubbed out to the adjoining tract at intervals between 400 feet and 1,200 feet. Such streets shall be located at points where the topography of the adjoining unplatted land will permit their future extension with reasonable ease. Such stub streets shall be paved by the developer to the

boundary of the unplatted land unless the planning and zoning commission for reasons of storm drainage, preventing erosion, or other practical considerations, expressly waives this requirement. A stub street which provides the sole access to more than two lots shall be terminated by a temporary cul-de-sac turnaround with a paved radius not less than 40 feet. A developer extending an existing stub street shall remove the turnaround and extend the existing street profile as appropriate.

The plat does exceed the allowable percentage of steep slopes that can be disturbed. The resource protection ordinance, which is designed to minimize the impacts of disturbing steep slopes, allows not more than 15 percent of steep slopes to be disturbed. The proposed master plan shows **87 percent** of steep slopes are impacted. Section 410 Resource Protection Standards states the following regarding steep slopes:

Section 410. Resource Protection Standards

D. Steep slopes.

- 1. Areas with slopes of 33 percent (3:1) or greater: not more than 15 percent of such areas shall be developed and/or re-graded and/or stripped of vegetation with the exception that no more than five (5) percent of such areas may be disturbed in the case of erosion-prone soils, as defined by the Natural Resources Conservation Service.*
- 2. When identifying “steep slope” areas of a development (rise/run > 33%) the engineer shall use a topographic map or site plan having a contour interval of not less than 2 feet to determine changes in elevation (rise). Unless otherwise approved by the Planning and Engineering staff a length (run) of not more than 100 feet shall be used to calculate the approximate slope of the area under consideration.*
- 3. When a proposed development will not meet the standards of Section 410.D.1. above, a development plan must be submitted for the review of the City Engineer and approval of the Planning Commission. Approval of this development plan shall be based on its consistency with the intent of this Ordinance.*

The master plan includes 9 open space lots. The proposed amenities include a playground, gazebo, walking trail, and dog park on 3 of the open space lots. However, most of the proposed open space is located behind residential lots with limited access to the residents.

Approval of the master plan and preliminary plat will require six affirmative votes of the Commission.

New Submission ☐Re-Submission ☒

Date of first submission:

6 / 14 / 2022

City of Northport

Preliminary Plat Application and Checklist

Date of Plng Comm Mtg: ____ / ____ / ____

Deadline: ____ / ____ / ____

Application Submitted: ____ / ____ / ____

Name of Subdivision: The Terrace at Northcreek - Phase IIName of Applicant: Longleaf Engineering, LLCPhone: (205) 345-5646Name of Owner: Sullivan Properties & Northcreek PropertiesPhone: (205) 339-1052Address: PO Box 657, Northport, AL 35476Engineer: Tom Sims, Longleaf Engineering, LLCPhone: (205) 345-5646Address: 432 65th Street, Suite A, Tuscaloosa, AL 35405Email: tsims@longleafengineering.comSurveyor: Lonnie J. "Jamie" AuteryPhone: (205) 886-4342Address: PO Box 1486, Northport, AL 35476Email: jautery@alsurvey.comIn City Limits? Yes ☒
No ☐Current Zoning: R-1Proposed Zoning: R-3Total Acreage: 17.2Total Lots: 41*Any rezoning requests must be accompanied by appropriate application*Date of Predesign/Pre-application Meeting: 5 / 12 / 22*Required, unless expressly waived by Planning Director*Is this part of a master plan? Yes ☒
No ☐Name and date of most recent approved master plan: Master Plan - 1/13/2023Is this design in substantial compliance with approved master plan? Yes ☒
No ☐Submitted Concurrently

Describe the Location of Property to be Subdivided:

Located at the east dead end of Northcreek BoulevardWill any waivers be requested? Yes ☒
No ☐

If yes, list them here and attach documentation explaining reason for request.

Waivers:

See attached waiver request letter****All of the above information has been completed or marked "N/A." Initial JS ****

All submissions (new and updated) must be accompanied by appropriate applications and checklists. Incomplete submissions will not be accepted. In order for a preliminary plat to be heard before the Northport Planning and Zoning Commission, all relevant items must be received by the Planning Department by the deadline, including completed application and checklist, correct number of *complete and correct* plats, designation of agent form, adjoining property owner lists/labels, and any other necessary items.

Staff will review and research all submissions. If it is determined after the deadline that a submission is missing required elements or needs substantial correction (i.e. something that cannot be easily annotated by hand by the designer on every plat), then the applicant/agent must appear in person before the Planning Commission and ask for a continuance to another meeting. If applicant/agent desires to continue with presenting the deficient plat before the Planning Commission, staff will recommend disapproval of plat due to deficiencies. Incomplete submissions will not be accepted.

****It is strongly recommended that application be submitted well in advance of deadline; especially for new, large, or complex subdivisions. This will give staff time to point out needed corrections and offer any further suggestions.**

I have read the above statements and warrant in good faith that I understand and will comply, and that the information submitted is true and correct.

Applicant Signature: Date: 1 / 13 / 2023

Please contact the Planning Department at 205-339-7000 with any questions.

New Submission ☐Re-Submission ☒

Date of first submission:

6 / 14 / 2022

City of Northport

Preliminary Plat Application and ChecklistName of Subdivision: The Terrace at Northcreek - Phase IIName of Applicant: Longleaf Engineering, LLCPhone: (205) 354-5646

All submissions (new and revised) must be accompanied by appropriate application and checklist. All items must be marked as included or "N/A" if not applicable. Explain if not applicable. **Plats must be fully compliant with the Northport Subdivision Regulations.**

This checklist is provided as an aid in the process.

- ☒ Name and address of the owners, and the surveyor of the plat. Surveyor shall be registered to practice in the State of Alabama.
- ☒ Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
- ☒ Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns, has an option on or leases.
- ☒ Contours shall be shown at an interval of not more than five feet for slopes over five percent, and for slopes less than five percent contours shall be shown at an interval of not more than two feet. All contours shall be based on the true city elevation, which is the USGS-MSL datum. No assumed datum will be accepted. A note on the plat shall indicate which city B.M. was used.
- ☒ Lot dimensions, areas, building lines and back and side setback lines and lot and block numbers and proposed street names.
- ☒ Rights-of-way, easements, alleys, location and proposed widths.
- ☒ Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument.
- ☒ Any pertinent topographic features existing on the site.
- ☒ Proposed storm drains, sanitary sewer, and water lines with approximate sizes and design data.
- ☒ Location and dimensions of existing storm and sanitary sewers, and water lines.
- ☒ A statement as to the current and proposed zoning (if applicable); or a statement of the allowable use of each lot, if required pursuant to section 107.
- ☒ A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
- ☒ Width of all proposed paving in the proposed project from back to back of curb.
- ☒ Proposed location of "stop," "yield," and other traffic control signs and devices to be installed. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted.
- ☒ Evidence from the appropriate governing body (state, county, federal, or city) that the proposed subdivision has access over a publicly dedicated and maintained street or road.
- ☒ The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property.
- ☒ The locations of existing and proposed property lines and existing buildings, watercourses, railroads, power lines, bridges, culverts, and drainpipes on the land to be subdivided and immediately adjoining land.
- ☒ Street cross-section, showing proposed construction and statements concerning type of material to be used in construction.
- ☒ Location of proposed sidewalks.
- ☒ If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the floodway or the 100-year flood boundary of a stream or river, as depicted on the flood boundary and floodway map, or is located in a special flood hazard area, as depicted on a flood hazard boundary map, then such floodway, boundary, or flood hazard area shall be indicated on the preliminary plats accurately as possible.
- ☒ Any requested waivers listed on plat (explanation for waiver requests in accompanying paperwork).
- ☒ This plat is compliant with all applicable requirements for preliminary plats as per the Northport Subdivision Regulations

Additional Required Items for Submission:

- ☒ Sixteen (16) folded copies of plat (folded to 8½" x 11" size)
- ☒ Electronic copy of plat (PDF; may be submitted via CD or emailed)
- ☒ Designation of Agent form (if applicable)
- ☒ Three (3) copies of mailing labels for each adjoining property owner, applicant, and owner (and Word file)
- ☒ Fees (\$250 application fee, plus certified mailing fee for each adjoining property owner and newspaper legal advertising fee)

I have completed the above information and warrant in good faith that it is correct and complete.

Applicant Signature: _____

Date: 1 / 13 / 2023

VICINITY MAP



NOTE: REQUIRE T-WAVE OF MINIMUM CENTERLINE PAULI-
OF 300' TOTAL FOR 200' AND 100' CENTERLINE PAULI.

JAMES R & BETTY HALEY
PO BOX 716
NORTHPORT, AL 35476
DB 0932 PG 0000

WILLIAM F DUBOSE
4400 OAK HILL DR
NORTHPORT, AL 35473
DB 0030 PG 0000

WATWOOD PROPERTIES LLC
BOX 1553
NORTHPORT, AL 35475
DB 0000 PG 0000

ARY L WILLIAMSON
808 LAKE SHERWOOD CIR
NORTHPORT, AL 35473
DB 0000 PG 0000

OWN GREGORY BEASLEY
PO BOX 1081
NORTHPORT, AL 35476
DB 0000 PG 0000

ARION SMITH
1215 VIEW POINT RD
NORTHPORT, AL 35473
DB 0000 PG 0000

JOYCE L TIFRICE
PO BOX 7008
TUSCALOOSA, AL 35401
DB 0542 PG 0039

IMSON PROPERTIES LLC
1215 VIEW POINT RD
NORTHPORT, AL 35476
DB 0000 PG 0000

GEORGE E. BENTLEY
4400 OAK HILL DR
NORTHPORT, AL 35473
DB 0000 PG 0000

GEORGE E. BENTLEY
4400 OAK HILL DR
NORTHPORT, AL 35473
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4400 OAK HILL DR
NORTHPORT, AL 35473
DB 0000 PG 0000

NORTHCREEK COMMONS MASTER PLAN NORTHPORT, ALABAMA

NORTHPORT PROPERTIES INC
PO BOX 662
NORTHPORT, AL 35476
DB 1100 PG 0000

LEONARD S. BARNES
1215 VIEW POINT RD
NORTHPORT, AL 35473
DB 0000 PG 0000

JOE B. SEXTON
PO BOX 1122
NORTHPORT, AL 35476
DB 0000 PG 0000

LEONARD S. BARNES
1215 VIEW POINT RD
NORTHPORT, AL 35473
DB 0000 PG 0000

JAMES A. LITTLE
PO BOX 1122
NORTHPORT, AL 35473
DB 0000 PG 0000

NORTHPORT PROPERTIES INC
PO BOX 662
NORTHPORT, AL 35476
DB 1100 PG 0000

ARTHUR & JO MAE DROWN
1816 29TH AVE
TUSCALOOSA, AL 35401
DB 0000 PG 0000

WILLIE D & GEORGE E. THOMAS
307 19TH COURT NW
BIRMINGHAM, AL 35215
DB 1000 PG 0000

CLINT RICH JR ETAL
11500 ALEXANDER LANE
TUSCALOOSA, AL 35404
DB 1232 PG 0000

BRENDA NOLEN
2016 BAPTIST CAMPGROUND RD
NORTHPORT, AL 35473
DB 1100 PG 0000

BRENDA NOLEN
2016 BAPTIST CAMPGROUND RD
NORTHPORT, AL 35473
DB 1100 PG 0000

TOMMY WARE
PO BOX 20345
TUSCALOOSA, AL 35402
DB 2003 PG 0000

WOODRIDGE MOORE 4112 INT ETAL
4911 DOVE CREEK AVE
NORTHPORT, AL 35473
DB 1000 PG 0000

EDDIE W. WAFFIELD
1215 MOORE ST
NORTHPORT, AL 35473
DB 2001 PG 0000

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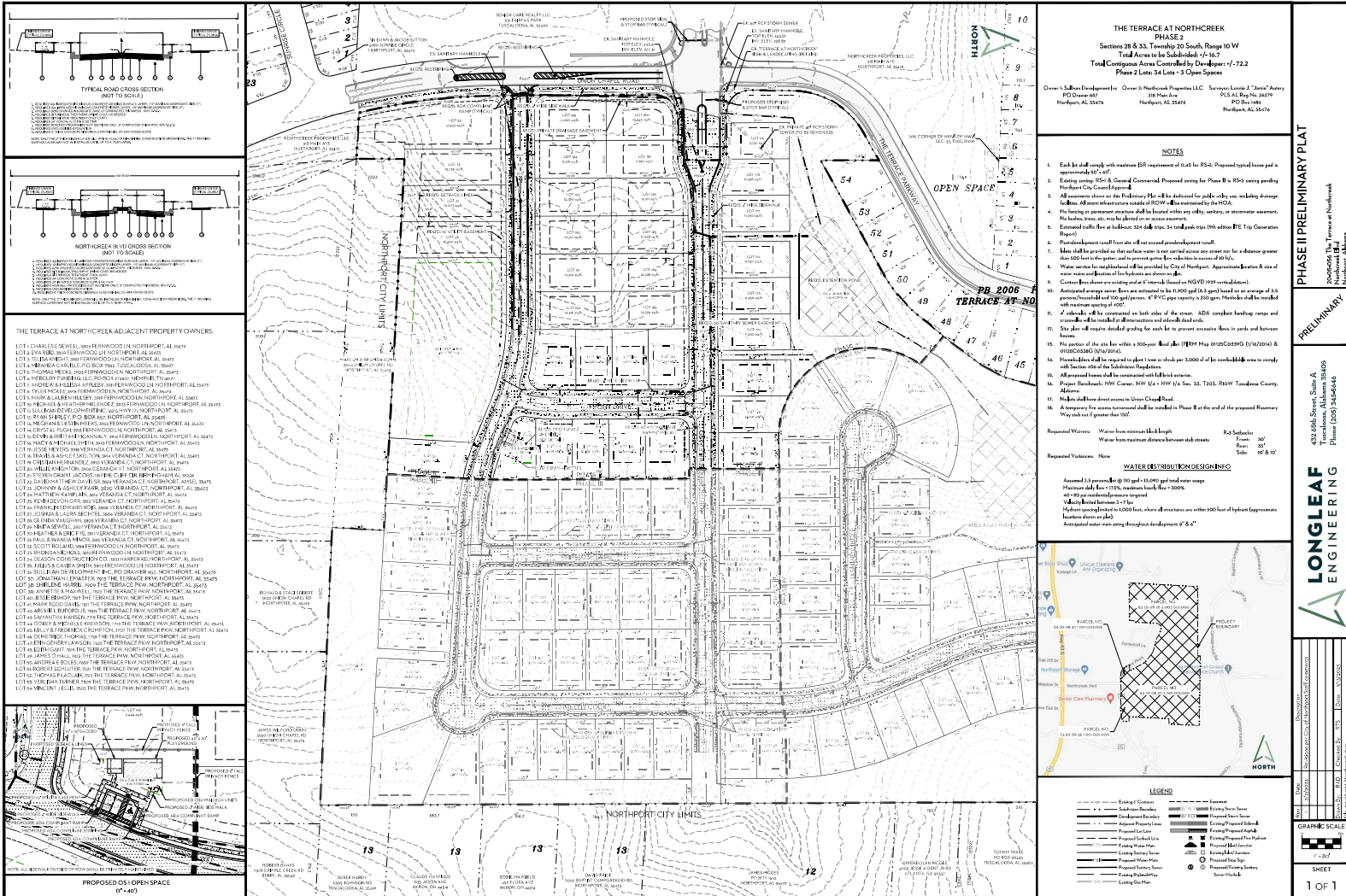
EDDIE W. WAFFIELD
1215 MOORE ST
NORTHPORT, AL 35473
DB 2001 PG 0000

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1215 MOORE ST
NORTHPORT, AL 35473
DB 2001 PG 0000



Almon
Associates

Almon Associates, Inc.
2008 12th Street, P.O. Box 1111
Tuscaloosa, AL 35401
(205) 336-1111





432 65th Street, Suite A
Tuscaloosa, AL 35405
(205) 345-5646

January 13, 2023

Julie Ramm
City of Northport
PO Box 569
Northport, Alabama 35476

Re: *Terrace at Northcreek Waiver Request*
Northport, Alabama

Ms. Julie,

See below explanations for the requested waiver on the Plat for Terrace at Northcreek Phase II:

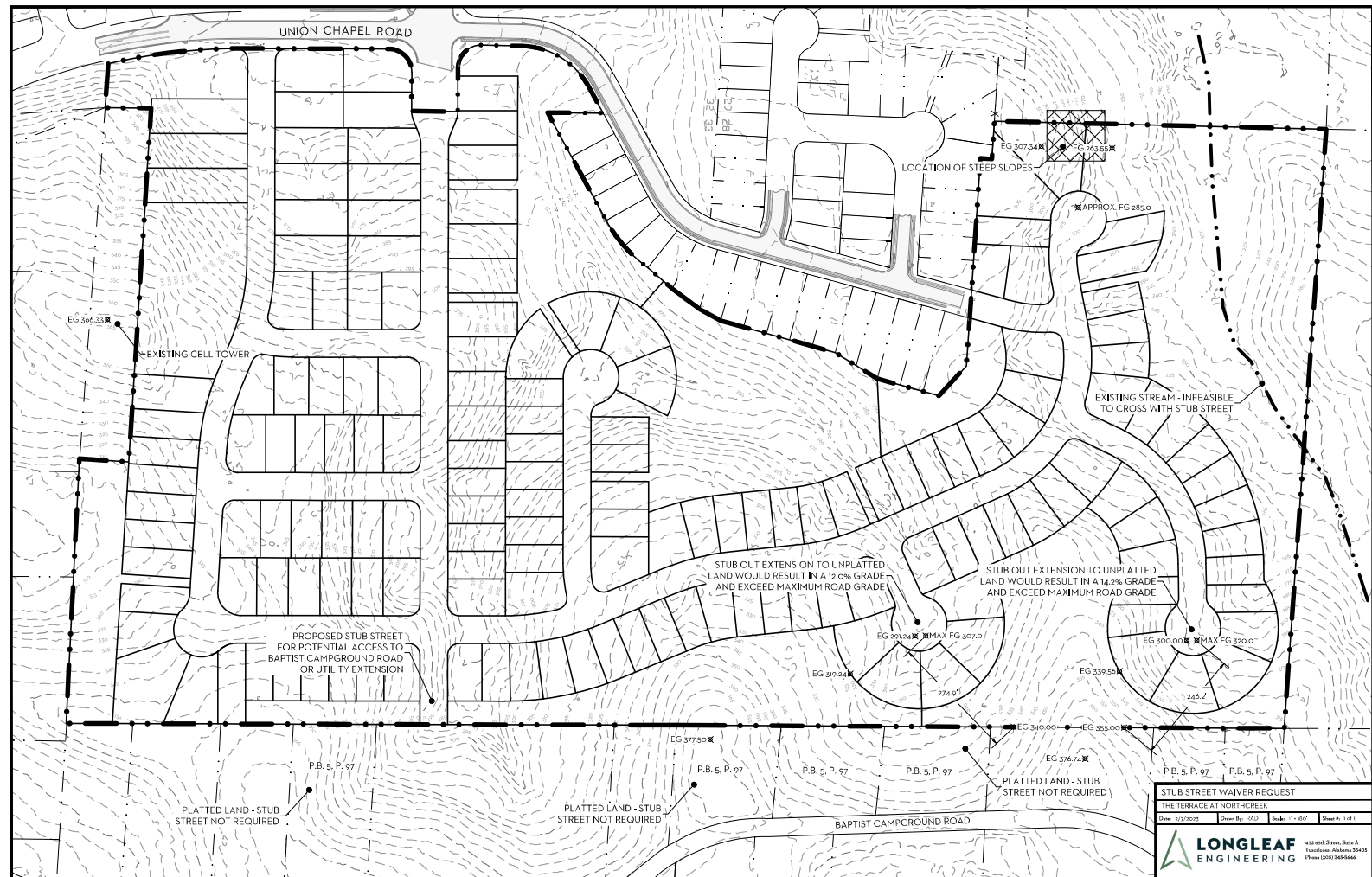
1. Waiver from the minimum block length of 400'.
 - We are requesting a waiver from minimum block lengths (Subdivision Regulations Section 701). In the instances where the proposed block length is less than 400' along Northcreek Boulevard and Trellis Court, the blocks meet the Subdivision Regulations Section 701.B. The proposed lots are a minimum depth of 125' and two tiers of lots are a total of 250'. The proposed blocks for Northcreek Boulevard and Trellis Court are 310' wide.
2. Waiver from maximum distance between stub streets.
 - We are requesting a waiver from maximum distance between stub streets (Subdivision Regulations Section 606). Stub streets to usable, unplatted land are restricted by the site topography. No stub streets are proposed in this subdivision.

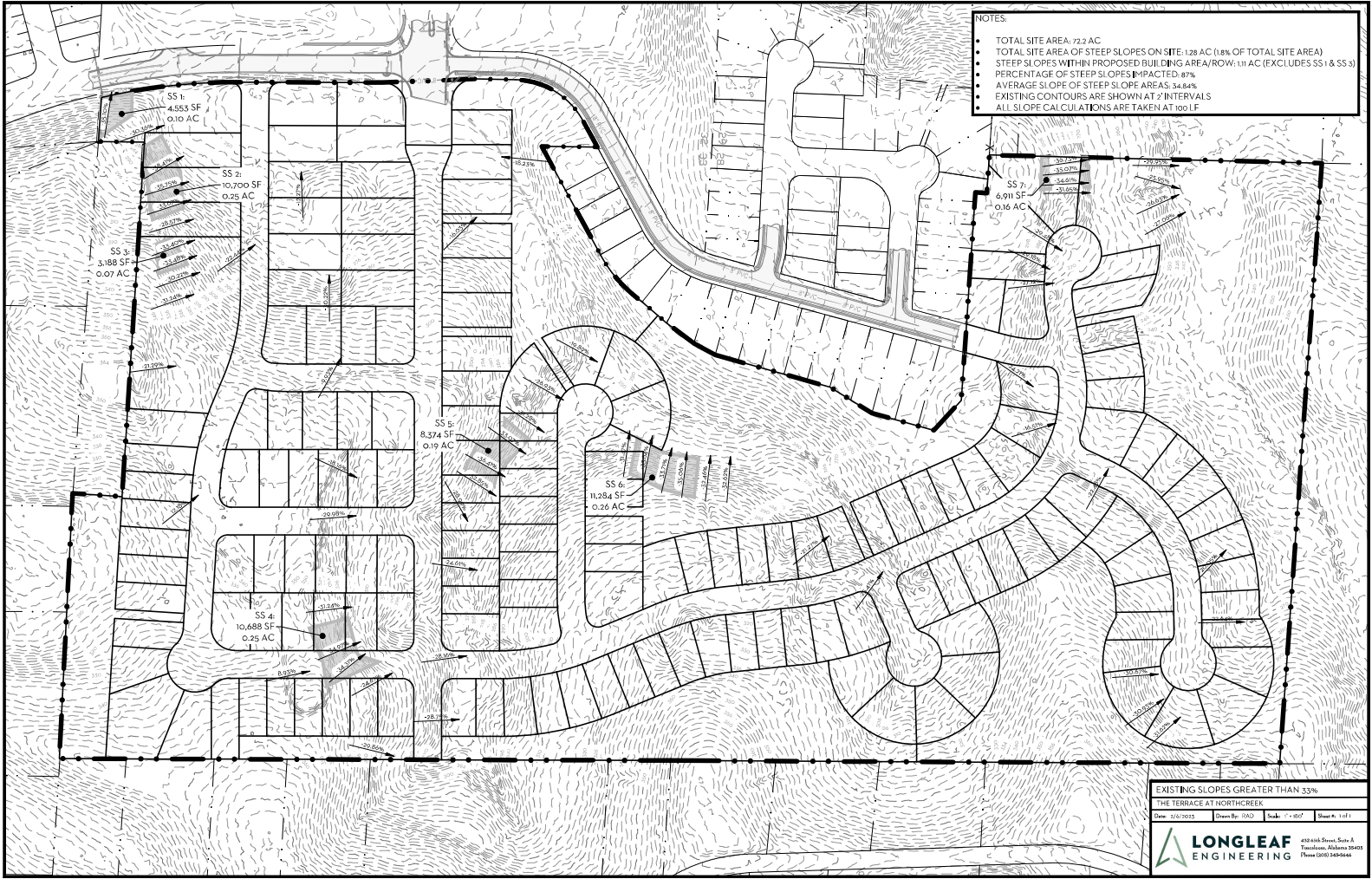
Please let us know if you have any questions or comments.

Sincerely,

Longleaf Engineering, LLC

Ruth Ann Dover, E.I.
Project Engineer





City of Northport
Planning and Zoning Commission – February 14, 2023
Staff Report

Case: AMD 01-23

Applicant: City of Northport

Request: Amendment to Table 4-1 and 4-2

The City of Northport requests an amendment to Table 4-1 Table of Allowable Uses. This amendment will create a Recreation District (REC) and will define what uses are allowed in the Recreation Zoning District. Those uses are highlighted in the attachment. This change also necessitates modifications to Table 4-2 Standards for Nonresidential Uses by District. Those changes are also highlighted in the attachment. The City is also proposing modifications to allow miniature golf/driving ranges and amusement parks in the C-6 (Highway Commercial) Zoning District.

Any action on this item will be a recommendation to the City Council.

**Table 4-1
TABLE OF PERMITTED USES**

USE CATEGORY	ZONING DISTRICTS											
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2	REC	DTR*
<i>Agricultural Uses:</i>												
Agricultural/Farming		P										
Forestry	x	P										
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Agricultural Support :</i>												
Farm Equipment sales/repair		C						P	P	C		
Farm produce sales		P						P				
Farm produce supply		P						P	P	C		
Farm product processing		C							C	C		
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Nurseries:</i>												
Wholesale		C						C	C	C		
Retail							P	P				
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Residential Uses:</i>												
Single Family Detached		P	P	P								
Multi-Family	x			P		C	C					
Manufactured /Modular Home Subdivision	x	C		C								
Manufactured Home Park	x	C		C								
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Institutional Uses:</i>												
Schools – Public/Private			C	C	P	P						
Cemetery		P		C	P	P	P					
Place of Worship	x	P	C	P	P	P	P					
Community Center	x		C	P	P	P	P				P	
Daycare	x			C	P	P	P					
Group Homes	x		C	C	P	P	P					
Nursing Home/ Assisted Living Facility	x			C	P	P	P					

USE CATEGORY	ZONING DISTRICTS											
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2	REC	DTR*
<i>Office Uses:</i>												
Business/Professional Office					P	P	P	P	C	C		
Bank or Financial Svs.					P	P	P	P	C			
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Commercial & Entertainment Uses:</i>												
Auto Accessory Store	x						P	P				
Barber/Beauty Shop					P	P	P	P				
Building Material Sales	x						C	P	P	P		
Commercial or trade school					C	C	P	P	P	P		
Convenience Store (no fuel)	x					P	P	P				
Dance/Gymnastics Studio					C	P	P	P				
Entertainment, Indoor						C	P	P			P	
Entertainment, Outdoor								C			P	
Garden Center or Nursery						C	P	P	P	P		
General Retail, Enclosed						P	P	P				
Greenhouse/Farm Produce Sales		P						P	C			
Home Improvement Ctr.							C	P	P			
Pawn/Smoke/Tattoo Shops ¹								P				
Recreation, Indoor						C	P	P			P	
Recreation, Outdoor								P			P	
Restaurant, Eat-In	x					P	P	P	P	C		
Tavern							P	P	P	C		
Shopping Center						P	P	P				
Veterinary Office/kennel	x	P			C	P	P	P	P			
Payday Loan/ Title Loan/We Buy Gold/Check Cashing ¹								P				
Medical Cannabis Dispensing Site								P				

¹Ordinance 1814 established a 1,500 foot radius separation between payday loan, title loan, pawn shops, we buy gold businesses, check cashing businesses. Ordinance 1814 also established a 3,000 foot radius separation for Tattoo Shops. All existing business at the time this ordinance was enacted is allowed a one time relocation within a C-6 zone without compliance with the density limits contained in this ordinance. See Appendix C. Ordinance 1975 amended Ordinance 1814

USE CATEGORY	ZONING DISTRICTS											
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2	REC	DTR*
<i>Road Service Uses</i>												
Auto repair, paint/body	x						P	P	P	P		
Car Wash	x					P	P	P	P	P		
Flea market							C	C	C			
Gasoline/service station							C	P	P	P		
Hotel/Motel							P	P				
Outdoor/Drive-In Theatre	x	C						C	C			
Restaurant, Fast Food						C	P	P	P			
Small Engine Repair							P	P	P			
Vehicle Sales or Rental							C	P	P			
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Shopping Center</i>												
Regional Shopping Ctr. 500,000+ sf. Floor area							P	P				
Neighborhood Shopping Ctr.	x					P	P	P				
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
<i>Commercial Support:</i>												
Bottling plant/bakery	x							P	P	P		
Contractor storage yard	x							C	P	P		
Printing/publishing	x							P	P	P		
Recycled materials collection/storage	x							C	P	P		
Sales/minor storage of gaseous fuels	x							P	P	P		
Sales/repair of heavy equipment								C	P	P		
Veterinary Office/kennel w/outdoor pens		C							C			
Warehouse								C	P	P		
Mini-warehouse	x							C	P			
Office Warehouse	x							C	P			
Wholesale distributor								C	P	P		

USE CATEGORY	ZONING DISTRICTS											
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2	REC	DTR*
Commercial Recreation Uses	x											
Miniature Golf/driving range		C						P	C			
Amusement Park								P	C			
Fairground		C							C			
Amphitheater									C		P	
Race track		C							C	C		
Stadium/arena									C	C		
Skate Rink		C					C	P	C			
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
Recreational Rental Dwellings	x											
Campground		C							C	C	P	
Cottages/cabins		C							C	C	P	
Recreation vehicle park		C							C	C	P	
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
Recreational Uses:												
Golf Course		P									P	
Park		P	P	P	P	P	P	P	P	P	P	
Tennis Court			P	P							P	
Swimming Pool			P	P							P	
Sports Field/Complex											P	
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2		DTR*
Public Service Uses:												
Communication Tower	x	P			P		C	P	P	P		
Hospital	x				C	C	C	C	C			
Municipal Office/Facility		C			P	C	P	P	P			
Public Utility			C	C	P	P	P	P	P	P		
Utility service yard or garage		C				C	C	P	P	P		

USE CATEGORY	ZONING DISTRICTS											
	SDS	AG	RS	RM	O-I	C-2	C-3	C-6	M-1	M-2	REC	DTR*
<i>Industrial Uses:</i>												
Bulk storage of chemicals or fuels	x								C	C		
Commercial incinerator	x								C	C		
Food processing/packing	x								C	C		
Freight/trucking terminal									C	C		
Manufacture of building materials									C	P		
Manufacture/storage of explosives	x								C	C		
Manufacturing									C	P		
Outdoor storage of machinery									C	P		
Recycled materials processing									C	C		
Scientific testing/research laboratory									C	P		
Slaughterhouse	x								C	C		
Storage of sand/gravel/blocks	x								C	P		
Salvage Yard (Auto,etc)	x								C	C		
Mine/quarry	x	C							C	C		
Warehouse, Distribution									C	P		

****Downtown/Riverfront – See Core City Zoning & Design Standards (Article VII)***

Table 4-2: Standards for Nonresidential Uses by District

District	Uses	Maximum FAR	Maximum ISR	Minimum Site Area³	Minimum Lot Width⁴
<i>Agricultural (AG)</i>					
	Agriculture/Nurseries	na	0.05	3 ac.	none
	Recreation Rental	0.01	0.10	3 ac.	none
	Recreation	0.02	0.40	3 ac	none
	Public Service ²	0.20	0.50	3 ac	none
	Agriculture Support	0.25	0.50	40,000 sf.	none
	Conditional Use	0.12	0.30	3 ac	none
	All Other Uses	0.15	0.30	3 ac	none
<i>Office-Institutional (O-I)</i>					
	Institutional	.75	.85	40,000 sf.	100'
	Office	.75	.85	40,000 sf.	100'
	Commercial & Entertainment	.40	.60	None	75'
	Recreational	.10	.40	10,000 sf.	none
	Public Service ²	.35	.60	7,500 sf.	75'
	Conditional Use	.50	.70	40,000 sf.	100'
	All Other Uses	.70	.65	20,000 sf.	100'
<i>Neighborhood Commercial (C-2)</i>					
	Institutional	.50	.60	20,000 sf.	75'
	Office	.50	.60	20,000 sf.	75'
	Commercial & Entertainment	.40	.70	None	75'
	Road Service	.35	.70	30,000 sf.	100'
	Shopping Center	.40	.60	3 ac.	100'
	Recreational	.10	.40	10,000 sf.	none
	Public Service ²	.35	.60	7,500 sf.	75'
	Conditional Uses	.50	.70	40,000 sf.	100'
	All Other Uses	.70	.65	20,000 sf.	100'
<i>General Commercial (C-3)</i>					
	Nurseries	.05	.50	80,000 sf.	none
	Institutional	.60	.70	30,000 sf.	75'
	Office	.60	.70	30,000 sf.	75'
	Commercial & Entertainment	.40	.80	None	75'
	Road Service	.35	.80	30,000 sf.	100'
	Shopping Center	.40	.70	3ac.	100'
	Commercial Support	.50	.70	40,000 sf.	100'
	Recreational	.10	.40	15,000 sf.	none
	Public Service ²	.35	.70	7,500 sf.	75'
	Conditional Uses	.50	.80	40,000 sf.	100'

	All Other Uses	.70	.75	20,000 sf.	100'
Table 4-2: Standards for Nonresidential Uses by District					
District	Uses	Maximum FAR	Maximum ISR	Minimum Site Area ³	Minimum Lot Width ⁴
Highway Commercial (C-6)					
	Agricultural Support	.40	.70	None	None
	Nurseries	.05	.50	None	None
	Road Service	.35	.90	None	None
	Recreational	.10	.40	None	None
	Public Service ²	.35	.80	None	None
	Conditional Uses	.50	.90	None	None
	All Other Uses	.35	.90	None	None
Industrial (M-1) & (M-2)					
	Agricultural Support	.80	.90	40,000 sf.	100'
	Nurseries	.05	.50	80,000 sf.	None
	Office	.80	.90	40,000 sf.	100'
	Road Service	.35	.90	30,000 sf.	100'
	Commercial Support	.80	.90	10,000 sf.	100'
	Commercial Recreation	.40	.90	40,000 sf.	100'
	Recreational	.10	.40	10,000 sf.	None
	Public Service ²	.50	.80	10,000 sf.	100'
	Industrial	.80	.90	40,000 sf.	100'
	All Other Uses	.40	.90	80,000 sf.	100'
Special District (SD)⁵					
Recreational (REC)					
	Institutional	.75	.85	40,000 sf.	100'
	Commercial & Entertainment	.40	.80	None	75'
	Commercial Recreational	.40	.90	40,000 sf.	100'
	Recreation Rental	0.01	0.10	3 ac.	None
	Recreational	.10	.40	None	None

¹ No minimum lot size/width is required for public service distribution facilities for sewer, water, telephone, gas and electricity; minimum lot area for communication towers shall be determined by setbacks requirements as set out in Section 602.

² For lots not meeting the minimum size requirement in any district, see Article IX.

³ In cases where side lot lines are not parallel because the lot fronts on a curved right-of-way, minimum width at road frontage shall be as follows:

- a. Curved right-of-way: 75 percent of normal width requirement
 - b. Subdivision cul-de-sac: 50 percent of normal width requirement
- Width at road frontage shall be measured along a straight line connecting the foremost points of side lot lines.

⁴ See Section 605.