

AGENDA
Northport Planning and Zoning Commission
Tuesday, April 12, 2022

- I. CALL TO ORDER – Chairman**
- II. INVOCATION**
- III. ROLL CALL – Secretary**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES – March 8, 2022**
- VI. VERIFICATION OF PROPER NOTIFICATION – Secretary**
- VII. VERIFICATION OF NO CONFLICT OF INTEREST – Commission Members**
- VIII. INFORMATION AT END OF AGENDA**
- IX. OLD BUSINESS**
- X. NEW BUSINESS**
 - a. S-04-22 Sparks Property Subdivision – Logan Sparks requests preliminary plat approval of approximately 27.9 acres located at 6112 Charie Shirley Road**
- XI. CITIZEN COMMUNICATIONS**
- XII. DISCUSSION**
- XIII. 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, MARCH 8, 2022**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, March 8, 2022, in the Council Chambers at Northport City Hall.

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

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

Approval of the Minutes – **Motion by Mr. Randolph** to approve the January 11, 2021, minutes. **Second by Mr. Kemp**. Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes; **Motion Carried**.

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

Verification of No Conflict of Interest – None

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

OLD BUSINESS

NEW BUSINESS

A-01-22 Marlon Parker – Deannexation of 0.24 acres located on 8360 Coleman Drive

Mrs. Ramm stated Mr. Marlon Parker requests de-annexation of 0.24 acres located at 8360 Coleman Drive. This parcel was annexed by the City Council in November of 2021 as a portion of a potential development.

Chairman McKinney opened the public hearing.

Mr. Marlon Parker appeared before the Commission to state his request. He explained that he and his neighbor had decided not to sell their property to Mr. Dobbs and would like to deannex from the City so that he does not have to pay city taxes.

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

Motion by Mr. Kemp to make a favorable recommendation to the City Council for the deannexation of .24 acres located at 8360 Coleman Drive. **Second by Mr. Lewis**. Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes **Motion Carried**.

A-02-22 Anthony Dockery – Deannexation of 0.97 acres located on 517 Martin Road East

Mrs. Ramm stated that Mr. Anthony Dockery requests de-annexation of 0.97 acres located at 517 Martin Road East. This parcel was annexed by the City Council in November of 2021 as a portion of a potential development.

Chairman McKinney opened the public hearing.

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

Motion by Mr. Roland to make a favorable recommendation to the City Council for the deannexation of .97 acres located at 517 Martin Road East. **Second by Ms. Dykes.** Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes
Motion Carried.

S-02-22 Blue Creek Realty – Brilliant Coal Company requests Preliminary Plat approval of approximately 1.4 acres located at 803 Main Avenue.

Ms. Ramm stated that Brilliant Coal Company is requesting preliminary plat approval for Blue Creek Realty Subdivision located at 803 Main Avenue. The plat is a four lot subdivision consisting of 1.4 acres. There are no waiver requests for this petition. Mrs. Ramm also stated approval of this agenda item will require six affirmative votes of the Commission.

Chairman McKinney opened the public hearing.

Mr. Brad Bull, Brilliant Coal Company, 803 Main Avenue, Northport, Alabama, 35476, appeared before the Commission to state his request. Mr. Bull also stated that no waivers are being requested.

Mr. Matthews stated that lots 2 and 4 will not be granted direct access to Main Avenue and a note stating such is on the plat.

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

Motion by Mr. Kemp to approve the Blue Creek Realty Preliminary Plat located at 803 Main Avenue. **Second by Mr. Randolph.** Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes **Motion Carried.**

S-03-22 Resurvey of Lot 15 Clear Creek Colony Commercial Park – Brilliant Coal Company requests Preliminary Plat approval of approximately 1.34 acres located on the southwest corner of Rose Boulevard and Colony Trace.

Mrs. Ramm stated that Brilliant Coal Company is requesting preliminary plat approval for a Resurvey of Lot 15 Clear Creek Colony Commercial Park located at the southwest corner of Rose Boulevard and Colony Trace. The plat is a two lot subdivision consisting of 1.36 acres. The following waiver is requested: Sidewalks along Rose Boulevard. Mrs. Ramm stated that in exchange for the waiver along Rose Boulevard, the petitioner is proposing to construct 6' wide sidewalks along Colony Trace. Approval of this agenda item will require six affirmative votes of the Commission.

Chairman McKinney opened the public hearing.

Mr. Brad Bull, Brilliant Coal Company, 803 Main Avenue, Northport, Alabama, 35476, appeared before the Commission to state his request. Mr. Bull also stated that he would like to construct a 6 foot wide sidewalk along Colony Trace in exchange for a waiver from sidewalk installation along Rose Boulevard.

Mr. Kemp stated that the Commission does not have the authority to grant the median cut and any approval of the preliminary plat would not be an approval of such.

Mr. Matthews stated according to the zoning ordinance, moving the median cut would need to be approved by the City Council.

Mr. Bull asked what the process was for requesting the moving of the median cut.

Mr. Davis instructed Mr. Bull to send City staff a written request and the item would be placed on the appropriate council committee for a recommendation to the full City Council.

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

Chairman McKinney requested the sidewalk waiver be voted on separately from the plat.

Motion by Mr. Kemp to give the developer the option of paying into the sidewalk ban or installing the sidewalks along Rose Boulevard and Colony Trace. **Second by Mr. Lewis.** Roll call vote was as follows: Ms. Dykes-No; Mr. Kemp-Yes; Mr. Lewis-No, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-No. **Motion failed.**

Motion by Ms. Dykes to approve the waiver from sidewalk installation along Rose Boulevard in exchange for the installation of a 6 foot wide sidewalk along Colony Trace. **Second by Mr. Ward.** Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-No; Mr. Randolph-No; Mr. Roland-Yes; and Mr. Ward-No. **Motion failed.**

Motion by Mr. Kemp to approve the Resurvey of Lot 15 Clear Creek Commercial Park, without the waiver request, located at the southwest corner of Rose Boulevard and Colony Trace. **Second by Mr. Lewis.** Roll call vote was as follows: Ms. Dykes-Yes; Mr. Kemp-Yes; Mr. Lewis-Yes, McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Ward-Yes **Motion Carried.**

XI. CITIZEN COMMUNICATION - None

XII. DISCUSSION – None

**XII. ADJOURNMENT – Motion by Mr. Kemp with a second by Mr. Roland to adjourn the meeting.
By voice vote the meeting was adjourned.**

James McKinney, Chairman

ATTEST:

Julie Ramm, Secretary

City of Northport
Planning and Zoning Commission – April 12, 2022
Staff Report

Case: S-04-22
Applicant: Logan Sparks
Request: Preliminary Plat

Logan Sparks is requesting preliminary plat approval for Sparks Property Division located at 6112 Charlie Shirley Road. The plat is a four lot subdivision consisting of 27.9 acres. The property is not located in the city limits. However, it is located within our Planning Jurisdiction. The following waiver is requested:

Sidewalks along Charlie Shirley Road

The applicant has provided a letter from ALDOT stating sidewalks along Highway 69 will not be required. Therefore, a waiver is not needed from Highway 69 sidewalk construction. A copy of the most recent pedestrian plan for this area does not include sidewalks along Charlie Shirley Road. The Commission has three options for sidewalks in a commercial subdivision. The Commission may require sidewalk construction, waive the sidewalk requirement, or require the applicant to pay into the sidewalk trust fund.

Approval of this agenda item will require six affirmative votes of the Commission.

New Submission ☒Re-Submission ☐

Date of first submission: _____

City of Northport

Date of Plng Comm Mtg: ____ / ____ / ____

Preliminary Plat Application and Checklist

Deadline: ____ / ____ / ____

Application Submitted: ____ / ____ / ____

Name of Subdivision: Sparks Property DivisionName of Applicant: Logan SparksPhone: 205-535-9579Name of Owner: Michael Sparks, etuxPhone: 205-242-6714Address: 6112 Charlie Shirley Road, Northport, AL 35473Engineer: Duncan Coker Associates, P.C.Phone: 205-561-0808Address: 302 Merchants Walk, Suite 250, Tuscaloosa, AL 35406Email: jduncan@duncancoker.comSurveyor: Duncan Coker Associates, P.C.Phone: 205-561-0808Address: 302 Merchants Walk, Suite 259, Tuscaloosa, AL 35406Email: jduncan@duncancoker.comIn City Limits? Yes ☐
No ☒Current Zoning: N/AProposed Zoning: N/ATotal Acreage: 27.9 +/- Total Lots: 3*Any rezoning requests must be accompanied by appropriate application*Date of Predesign/Pre-application Meeting: 2 / 22 / 22 *Required, unless expressly waived by Planning Director*Yes ☐Is this part of a master plan? No ☒ Name and date of most recent approved master plan: _____Is this design in substantial compliance with approved master plan? Yes ☐
No ☐

Describe the Location of Property to be Subdivided:

West Side of Alabama Highway 69 North, North of Charlie Shirley RoadYes ☒Will any waivers be requested? No ☐ If yes, list them here and attach documentation explaining reason for request.

Waivers:

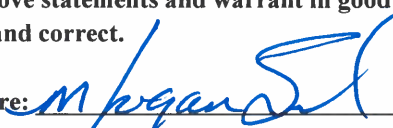
Sidewalk construction. See attached waiver request form.****All of the above information has been completed or marked "N/A." Initial Jimmy Duncan ****

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.

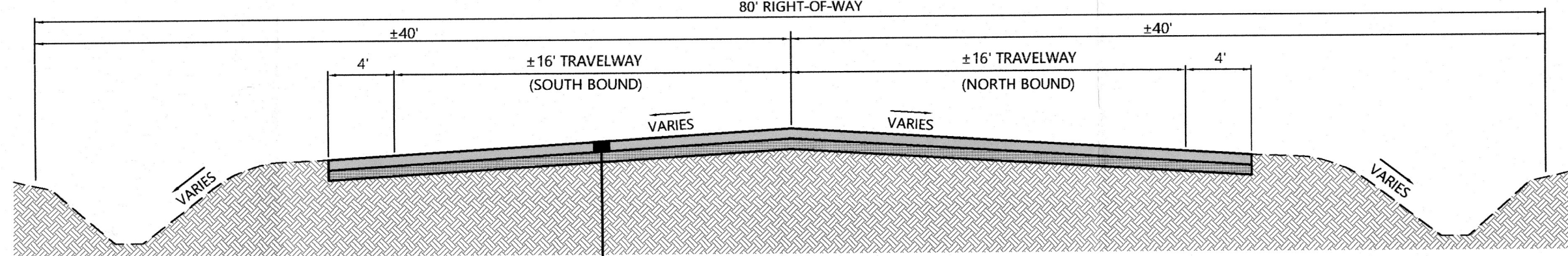
Staff will review and research all submissions. If it is determined after the deadline that a submission is missing required elements or needs substantial correction (i.e. something that cannot be easily annotated by hand by the designer on every plat), then the applicant/agent must appear in person 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: 2 / 24 / 2022

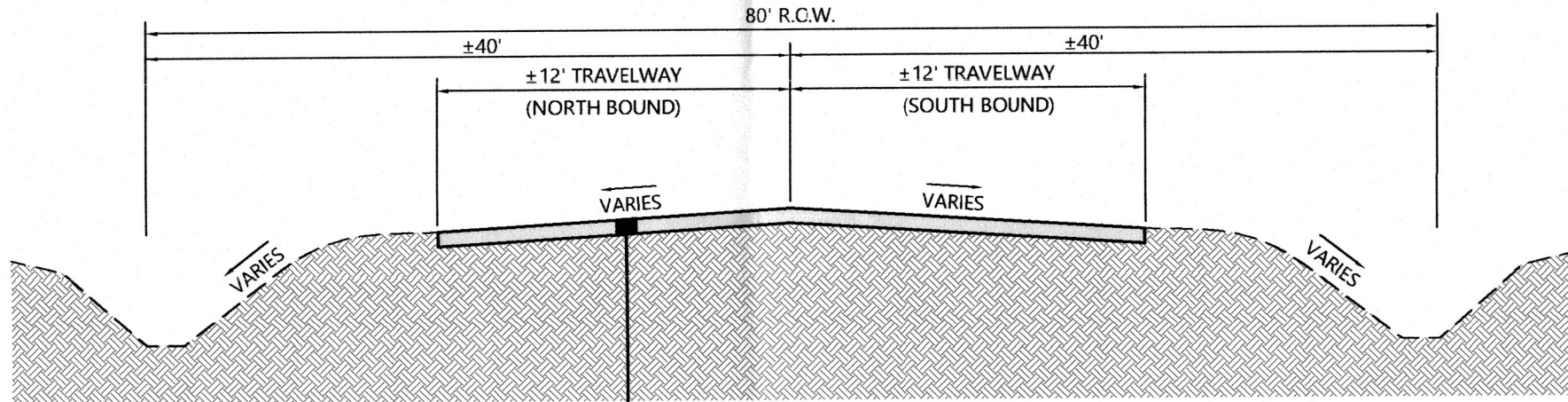
Please contact the Planning Department at 205-339-7000 with any questions.



IN PLACE: EXISTING PAVING TO REMAIN

EXISTING STREET SECTION - ALABAMA HIGHWAY 69 NORTH

NO IMPROVEMENTS PROPOSED

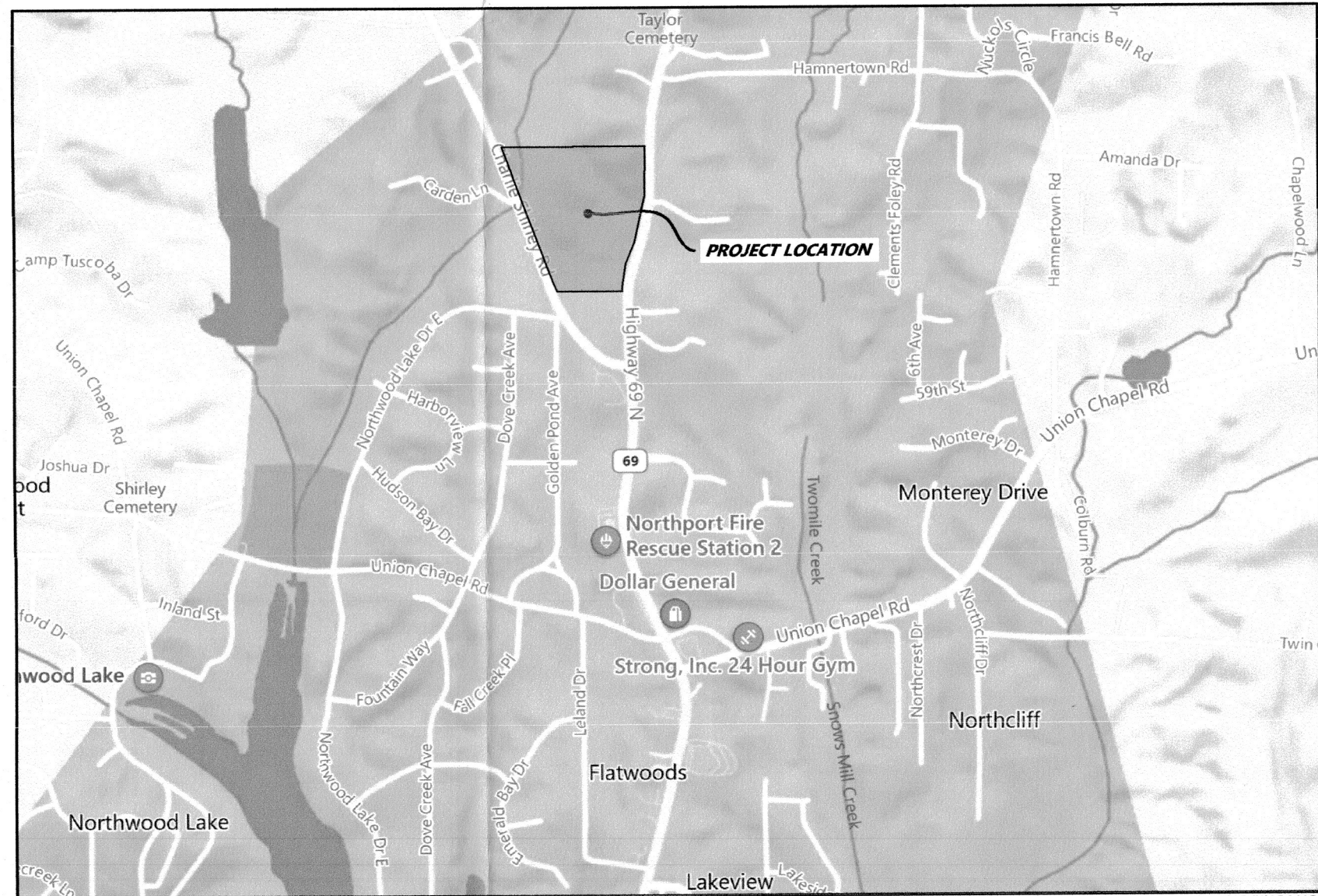
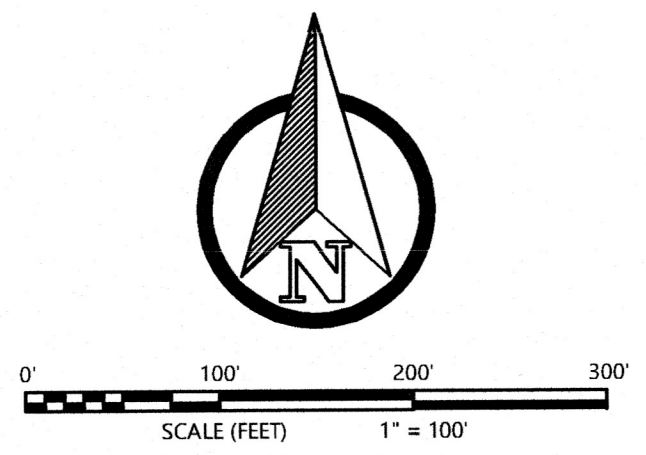


IN PLACE: EXISTING ROADWAY

EXISTING STREET SECTION - CHARLIE SHIRLEY ROAD

**NO IMPROVEMENTS PROPOSED

SYMBOLS LEGEND	
	EXISTING CONTOUR LINE (10 FOOT INTERVAL)
	EXISTING CONTOUR LINE (2 FOOT INTERVAL)
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING CITY OF NORTHPORT WATER MAIN
	EXISTING SANITARY SEWER MANHOLE
	EXISTING STORM DRAIN MANHOLE
	EXISTING RIGHT-OF-WAY LINE
	PROPOSED LOT LINE
	PLAT BOOK
	DEED BOOK
	PAGE
	EXISTING ASPHALT SURFACE
	EXISTING CONCRETE SURFACE



VICINITY MAP

NOT TO SCALE

DEVELOPER/APPLICANT: OWNER:

LOGAN SPARKS
6112 CHARLIE SHIRLEY ROAD
NORTHPORT, AL 35473

MICHAEL SPARKS
6112 CHARLIE SHIRLEY ROAD
NORTHPORT, AL 35473

SURVEYOR:

JAMES DUNCAN, JR. PE/PLS (AL PLS LICENSE NO. 23657)
DUNCAN COKER ASSOCIATES, P.C.
302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35406

NOTES:

- PROPERTY TO BE SUBDIVIDED = 27.9 AC.±
TOTAL PROPERTY UNDER CONTROL OF THE OWNER = 39.8 AC.±
- THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE CITY OF NORTHPORT CORPORATE LIMITS.
- PROPERTY TO BE SERVED BY CARROLLS CREEK WATER AUTHORITY AND AN ON-SITE SEWAGE DISPOSAL SYSTEM.
- AS SHOWN HEREIN, THE SUBJECT PROPERTY PARTIALLY LIES WITHIN A MAPPED SPECIAL FLOOD HAZARD AREA, AS PER FEMA FLOOD MAP NO. 08125C0339G, REVISED DATE 1/16/14.
- THIS PLAN IS BASED ON AERIAL MAPPING AND DOES NOT CONTAIN FIELD-RUN DATA.
- THE SUBJECT PROPERTY IS LOCATED IN THE NW 1/4 OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 10 WEST.
- SOURCES OF TITLE: DB 2000, PG 18244; DB 1999, PG 6909
- THIS PLAN IS COMPLIANT WITH ALL APPLICABLE REQUIREMENTS FOR PRELIMINARY PLATS AS PER THE NORTHPORT SUBDIVISION REGULATIONS.

WAIVER REQUEST:

- SIDEWALK CONSTRUCTION: THE DEVELOPER REQUESTS A WAIVER FROM THE REQUIREMENT TO CONSTRUCT SIDEWALKS ALONG THE ROADWAY FRONTS OF ALABAMA HIGHWAY 69 NORTH AND CHARLIE SHIRLEY ROAD. SEE WAIVER REQUEST FORM INCLUDED WITH THIS APPLICATION. ALDOT WILL NOT REQUIRE SIDEWALKS ALONG ALABAMA HIGHWAY 69 NORTH, AS SIDEWALKS ARE NOT PROPOSED AT THIS LOCATION ACCORDING TO THE "TUSCALOOSA AREA BICYCLE AND PEDESTRIAN PLAN 2020". THE "TUSCALOOSA AREA BICYCLE AND PEDESTRIAN PLAN 2020" ALSO DOES NOT PROPOSE SIDEWALKS ALONG CHARLIE SHIRLEY ROAD. THIS PROJECT INVOLVES A COMMERCIAL DEVELOPMENT AND THE PLANNING COMMISSION MAY WAIVE THE REQUIREMENT FOR SIDEWALKS IN A COMMERCIAL DEVELOPMENT WHEN THE PROJECT IS NOT ON A PRIORITY PEDESTRIAN CORRIDOR AS DESIGNATED BY THE MOST CURRENT LOCAL OR REGIONAL BICYCLE AND PEDESTRIAN PLAN. PER THE CITY OF NORTHPORT SUBDIVISION REGULATIONS, ADDITIONALLY, SHOULDER CONDITIONS ALONG CHARLIE SHIRLEY ROAD ARE NOT CONDUCTIVE FOR THE CONSTRUCTION OF SIDEWALKS.

FLOOD MAP LEGEND

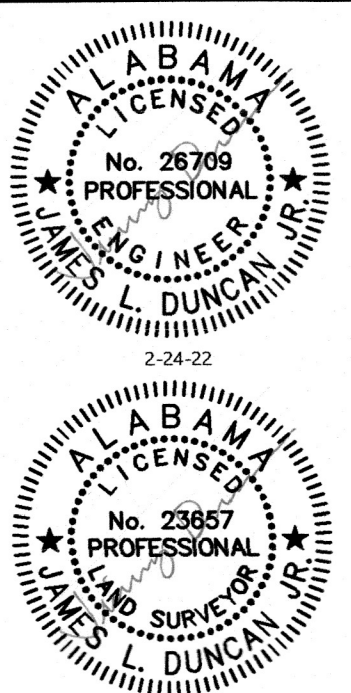
	FLOODPLAIN BOUNDARY
	1% ANNUAL CHANCE FLOODPLAIN BOUNDARY
	0.2% ANNUAL CHANCE FLOODPLAIN BOUNDARY
	BASE FLOOD ELEVATION
	ZONE AE
	ZONE AE FLOOD AREA
	ZONE X FLOOD AREA
	ZONE X

SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. AREAS OF SPECIAL FLOOD HAZARD INCLUDE ZONES A, AE, AH, AO, AR, A99, V, AND VE. THE BASE FLOOD ELEVATION IS THE WATER-SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD.

FLOODWAY AREAS IN ZONE AE
THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.

AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



DUNCAN COKER ASSOCIATES
CIVIL ENGINEERING • SURVEYING • PLANNING
302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35406
205-941-9886
WWW.DUNCANCOKER.COM

SPARKS PROPERTY DIVISION
PART OF THE NW 1/4 OF SECTION 34,
TOWNSHIP 20 SOUTH, RANGE 10 WEST
TUSCALOOSA COUNTY, ALABAMA

PRELIMINARY SUBDIVISION PLAT	
NO.	DATE
1	3-17-22
2	3-17-22
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100	3-17-22

Jimmy Duncan

From: Mayes, Lauren E <mayerl@dot.state.al.us>
Sent: Friday, February 18, 2022 8:58 AM
To: Jimmy Duncan
Subject: RE: Sparks Property Division - Northport, Alabama

Jimmy,

After consulting the Tuscaloosa Area Bicycle and Pedestrian Plan 2020, sidewalks will not be required by ALDOT along AL-69 at the above referenced location.

Thanks,

Lauren Mayes
Permit Coordinator, District 52
Alabama Department of Transportation
Office: (205)554-3239
Cell: (205)657-2322

From: Jimmy Duncan <jduncan@duncancoker.com>
Sent: Thursday, February 17, 2022 9:01 AM
To: Williamson, Kayla M. <williamsonk@dot.state.al.us>
Cc: Mayes, Lauren E <mayerl@dot.state.al.us>
Subject: Sparks Property Division - Northport, Alabama

Kevin-

We are working on a two-lot subdivision in Northport's Planning Jurisdiction for which we intend to request a sidewalk construction waiver along Alabama Highway 69 North. A vicinity map is attached for your reference. Can you provide a letter stating that ALDOT does not intend to construct sidewalks along this segment of roadway? I have looked at the 2020 Tuscaloosa Area Bike & Ped Plan and I do not see it listed. Thanks and let me know if you have questions.

Jimmy Duncan, PE/PLS/LEED AP
President
Duncan Coker Associates, P.C.
302 Merchants Walk, Suite 250
Tuscaloosa, Alabama 35406
o: 205-561-0808
c: 205-771-0475

www.duncancoker.com



Figure 9

Unfunded Pedestrian and Shared-Use

- Planned Shared-Use

Funded Shared-Use

Existing Shared-Use

Planned Sidewalks

Planned Crosswalks

Planned Overpass

Funded Sidewalks

Existing Pedestrian
-
-
- This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes. The West Alabama Regional Commission explicitly disclaims any representations and warranties as to the accuracy, timeliness, or completeness of the map and data.
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- Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (OpenStreetMap contributors), and the GIS User Community
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