

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 11, 2023**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, April 11, 2023, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairwoman Jamie Dykes. Upon roll call the following members were found to be present: Ms. Jamie Dykes, Mr. David Kemp, Mrs. Tracey Kelly, Mr. Roland Lewis, Mr. Kevin Turner, Mr. Clay Randolph, and Mr. Jason Ward. Absent and failing to vote was Mrs. Jennifer Hayes and Mr. Ernest O'Rourke. Staff present were Mrs. Julie Ramm, Planning Director, Morgan Williams, Administrative Assistance, Brad Matthews, Senior Engineer, and Chris Cunningham, Assistant City Attorney.

Approval of Agenda – Motion by Mr. Turner to approve the April 11, 2023, agenda. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Ms. Dykes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Randolph – Yes; and Mr. Ward - Yes **Motion Carried**

Approval of the Minutes – Motion by Mr. Turner. to approve the March 21, 2023, minutes. **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; and Mr. Ward – Yes. **Motion Carried.**

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

Verification of No Conflict of Interest –None.

Disclosure of Ex Parte Communication – None.

Information on Back of Agenda – Chairwoman Jamie Dykes explained the meeting procedures on the back of the agenda.

OLD BUSINESS

- a. **S-1-23 RSVY of Lot 2 Beeker 82 Properties** – North Square Properties, LLC request Preliminary Plat approval of approximately 9.45 acres located north of US Highway 82 and east of 36th Avenue.
CONTINUED UNTIL MAY MEETING

No vote needed.

NEW BUSINESS

- a. **A-02-23 City of Northport** – City of Northport request annexation of 40 acres located south of 5th Street and west of Kentuck Park with original zoning of REC (Recreational).

Mrs. Julie Ramm stated The City of Northport requests annexation of approximately 40 acres located south of 5th Street and west of Kentuck Park with the zoning designation of REC (Recreational). The property meets the requirements for annexation. Any action will be a recommendation to the City Council.

Chairwoman Dykes opened the public hearing.

With no one appearing to speak on this matter, Chairwoman Dykes closed the public hearing.

Motion by Mr. Turner to make a favorable recommendation City Council to annex approximately 40 acres located south of 5th Street and west of Kentuck Park with the zoning designation of REC (Recreational). **Second by Mr. Kemp** Roll call vote was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Ms. Dykes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Randolph – Yes; and Mr. Ward – Yes. **Motion Carried**

b. R-5-23 City of Northport – City of Northport requests rezoning of approximately 150 acres located east of Rose Blvd from M2 (Heavy Industrial), C-3 (General Commercial), OI (Office and Institutional) and AG (Agriculture) to REC (Recreational).

Mrs. Ramm stated that The City of Northport requests rezoning of approximately 150 acres located east of Rose Boulevard, near and adjacent to the Tuscaloosa County Emergency Operations Center. This property is currently zoned M-2 (Heavy Industrial), C-3 (General Commercial), OI (Office Institutional), and AG (Agricultural). The petitioner is requesting REC (Recreational) zoning. This property does meet rezoning requirements. Any action will be a recommendation to the City Council.

Chairwoman Dykes opened the public hearing.

Julie Ramm stated that we received one email, included in the packet, from William Carter. His concern was with traffic and noise.

Mr. Turner stated that the zoning adjacent to Harperwood Street is zoned M-2 (Heavy Industrial) and the requested zoning of REC (Recreational) would be a lot less intense.

Ms. Dykes stated that most of this requested property is currently heavily wooded.

Debbie McCombs, 7406 Harperwood Street, was curious of what was going on with this property. Ms. Dykes stated that it would be a Recreational Park that will contain hiking, walking, bike trails along with a zip line. This would allow the property to stay close to its natural habitat. Mrs. McCombs asked what type of fencing would be there to keep citizens away from the residence. She also asked questions on hours of operation if this would be open year around. Ms. Dykes stated that there is only a preliminary plan which only includes the trails for the area and there is nothing that detail available. When they have something set in stone it will be made available as the approved Master Plan is available on the City's website.

Brad Matthews stated that the Master Plan is indeed on our website.

Marriott Henderson, 5250 Tara Ave, stated that the mailing address is listed Northport. Is the proposed property Northport or is some of this in the county. Mrs. Ramm stated that all the 150 acres was located within the city limits of Northport. Mr. Henderson stated the property is directly behind his house, and I am in the county. He asked if there was a detailed map of this area. Ms. Dykes stated that there is a detailed map on the City's website. Mr. Henderson asked about this being funded by sales taxes and that sales tax paid by citizen's and himself will be funding the recreational area and may not want it.

Chris Cunningham stated that there is a version of a map located on our city's website that is called Northport GIS and will allow you to see as much detail as you would like.

Teena Oyler, 3617 36th Street, stated she was interested in properties that are located on 79th Street and has anyone done a survey on how it will affect the property value of adjoining properties. Ms. Dykes stated that this is only a preliminary master plan.

Doris Marriott, 5250 Tara Avenue, the small wedge of property near Rose Blvd, asked the commission what the plan was for that property. Ms., Dykes stated that she is unsure of what will be in that part of the property and stated that again this is just a master plan, and nothing has been done or set in stone on this. Mrs. Marriott asked if there would be any roads added in this area. Brad Matthews stated that as the master plan goes there are not roads being added. Mrs. Marriott asked how close the trails would be to the existing neighbors. Brad Matthews stated he did not have the answers for that. Mrs. Marriott asked if there would be extra security. Ms. Dykes stated we are not even that far down the road to be able to answer those questions accurately.

Brad Matthews stated that the rezoning request is just strictly for rezoning of the property. Mr. Ward stated we must go through the rezoning request to be able to move forward with more detail issues.

Roy Greg, 11535 Mitt Lary Road, stated his father-in-law owns property on both side of Rose Blvd. It seems like we are not able to answer the questions being asked of but will there be opportunities when the plans are ready that we will be notified and able to ask these questions and review the proposals. Ms. Dykes stated yes.

With no one appearing to speak on this matter, Chairwoman Dykes closed the public hearing.

Mrs. Ramm stated that we will have a recreational meeting through our Comprehensive Plan that is open to the public. Ms. Dykes stated that this would be a perfect time to put those questions out.

Motion by Mr. Lewis to make a favorable recommendation to the City Council to rezone approximately 150 acres located east of Rose Boulevard to REC(Recreational). **Second by Mr. Randolph** Roll call vote was as follows: Mr. Lewis – Yes; Mr. Randolph – Yes; Mr. Kemp – Yes; Ms. Dykes – Yes; Mrs. Kelly – Yes; Mr. Turner – Yes; and Mr. Ward -Yes. **Motion Carried**

c. R-6-23 Michael Woodard – Michael Woodard requests rezoning for approximately 4.5 acres located at 485 Union Chapel Road from RS-1 (Single -Family Residential) to (Multi-Family Residential).

Mrs. Ramm stated that the petitioner requests rezoning of approximately 4.5 acres located at 485 Union Chapel Road. This property is currently zoned RS-1 (Single – Family Residential). The petitioner is requesting RM (Residential Multi Family). This property does meet rezoning requirements. Any action will be a recommendation to the City Council.

Michael Woodard, 12603 Country Club Drive, stated he is with Pritchett Moore Realty. He is representing the owners of the property. He stated that they have had potential buyer requesting this zone. He is not trying to create ill will the adjoining neighbors. I do not think the number of traffic increase will really change but I understand the concern. He stated that right beside this property they have commercial activity, and that this area is not strictly residential. The location is close into town and it is desirable.

Chairwoman Dykes opened the public hearing.

William Tunnell, 5540 Union Chapel Terrace, appeared representing several neighbors. We are asking that this request be denied. This area is zoned RS-1. The petitioner has this property for sale and the owner is not asking this for themselves but for potential buyers. Our fear is on what could be done with the rezoning and not for a real estate transaction.

Paula Watts, stated her concerns are traffic and to echo the previous comments.

Carl Wiggins, 1030 56th Street, stated he is the city council representative for this area and his concern for this area is the sewer capacity for this area and the rezoning fit this area.

Bruce Banks, 5400 Coleman Road, asked the commission to deny the request based on previous comments as well as that he has an autistic son, and it would require him to have to put up a fence to keep his child from running up to the strangers.

Mr. Randolph asked the petitioner the reason of why they are requesting the rezoning. Mr. Woodard stated the location is close into town and it is desirable and there is a demand for multiple housing closer to town. Mr. Randolph asked what the nearest multiple-family housing would be. Mrs. Ramm stated there are some apartments at Hunter Creek Road and U.S. Hwy 69, as well as Forest Trail Apartments.

Gail Tunnell, 385 Union Chapel Road, stated she has lived on Union Chapel Road all her life and stated that the area has grown over the years. She asked about the Evans Property development. Mrs. Ramm stated that this is in our Planning Jurisdiction but the City has not received any plans regarding the development. Mrs. Tunnell stated that her and her husband had to move their mailbox due to the traffic on the road and to keep from getting hit. She asked the commission to keep this area a single-family residence only.

Brian Wilsey, 374 Union Chapel Road, affirmed the traffic problem. He stated that it is a fair wait to get in and out of your driveway. Mr. Wilsey stated that Northport Police did come out and patrol the area but after the speed limit has been raised. He also stated that the amount of trash that is thrown out is bad now.

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

Ms. Dykes asked about the study of the Two-Mile Creek Sewer Capacity Study. Mr. Matthews stated that the study shows that the sewer lines are 96% full in a peak event. This would remain the case until the infrastructure was improved in that area. Mr. Matthews also stated that City sewer was not available at this current location. They would have to extend the sewer approximately 1400 feet to tie into the nearest sewer.

Mr. Turner stated that there is a need for multi – family housing need in the City but we must put in the right area and location. Mr. Ward agreed and stated we will be looking at multi-family housing in the City.

Motion by Mr. Turner to make a favorable recommendation to City Council to rezone approximately 4.5 acres located at 485 Union Chapel Road to RM (Residential Multi Family) **Second by Mr. Kemp** Roll call vote was as follows: Mr. Turner – No; Mr. Kemp – No; Ms. Dykes – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Randolph – No; and Mr. Ward – No. **Motion Failed.**

d. S-8-23 RSVY of Lot 6B of Golden Retriever's Addition – TTL, LLC requests preliminary plat approval for approximately 1.8 acres located west of Watermelon Road and south of Greenbriar Boulevard.

Mrs. Ramm stated TTL, LLC requests Preliminary Plat approval for the Resurvey of Lot 6B of Golden Retriever's Addition to Greenbriar Place located at 4310 Watermelon Road. The plat consists of two lots on 1.8 acres. The petitioner requests a sidewalk waiver. Mrs. Ramm stated that this case was presented on December 14, 2021. At this meeting the waiver for sidewalks and preliminary plat was approved. The plat expired on December 14, 2022, prior to the submittal of the final plat. Therefore, the applicant has re-submitted the same preliminary plat approval request.

Eric Hamner, TTL LLC, 3516 Greensboro Avenue, stated that we are requesting a full waiver on the sidewalks since there are no sidewalks in this area. We are also asking not to have to pay into the sidewalk bank as well.

Mr. Lewis asked if the property was sold yet, and if the sidewalks could be constructed. Mr. Hamner stated that it would be tough to put in due to the steep slope of an area and that there are no sidewalks in this area.

Mr. Randolph stated that the paying into the bank is an option.

Chairwoman Dykes opened the public hearing.

With no one appearing to speak on this matter, Chairwoman Dykes closed the public hearing.

Motion by Mr. Turner to approve the Sidewalk waiver with the of payment into the Sidewalk Trust Bank. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Ms. Dykes – No; Mrs. Kelly - No; Mr. Lewis – Yes; Mr. Randolph – Yes; and Mr. Ward – No. **Motion Carried.**

There was a discussion among staff on the required number of votes to pass a subdivision waiver. Staff determined a majority of those present could pass a waiver.

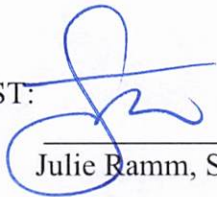
Motion by Mr. Randolph to approve the preliminary plat for approximately 1.8 acres located west of Watermelon Road and south of Greenbriar Boulevard. **Second by Mr. Lewis.** Roll call vote was as follows: Mr. Randolph – Yes; Mr. Lewis – Yes; Ms. Dykes – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; Mr. Turner – Yes; and Mr. Ward – Yes. **Motion Carried.**

e. CITIZEN COMMUNICATIONS

f. DISCUSSION

XII. ADJOURNMENT – By voice vote the meeting was adjourned.

ATTEST:


Julie Ramm, Secretary


Jamie Dykes, Chairwoman