

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

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

4. APPROVAL OF MINUTES

A. October 10, 2023

5. APPROVAL OF THE AGENDA

6. VERIFICATION OF PROPER NOTIFICATION

7. VERIFICATION OF NO CONFLICT OF INTEREST

8. OLD BUSINESS

9. NEW BUSINESS

- A. **S-27-23 Cicalla Division** - Michael J. Cicalla requests preliminary plat approval for approximately 2.59 acres located on the east side of Countryside Drive.
- B. **S-28-23 Legends Bend Master Plan** - Saroni Real Estate, LLC requests master plan approval for approximately 32.05 acres located west of Highway 43 and south of River Oak Drive.
- C. **A-12-23 Rita Wilson** - Rita Wilson requests annexation of approximately 8.12 acres located at 13582 Mount Olive Road with the original zoning of RS-1 (Single Family Residential).

10. DISCUSSION

11. CITIZEN COMMUNICATIONS

12. ADJOURNMENT

Northport Planning and Zoning Commission Meeting Procedures

- 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.
 - i. 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.
 - ii. 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.

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, OCTOBER 10, 2023**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, October 10, 2023, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Kevin Turner. Upon roll call the following members were found to be present: Mr. David Kemp, Mrs. Tracy Kelly, Mr. Roland Lewis, Mr. Clay Randolph, Mr. Kevin Turner, Mr. Jason Ward and Mr. Karl Wiggins. Absent and failed to vote was Mrs. Jennifer Hayes. Staff present were Mrs. Julie Ramm, Planning Director, Mr. Chris Cunningham, Assistant City Attorney, Mr. Shaun Patten, Zoning Administrator, Ms. Meredith Mullins, Planner, Mrs. Morgan Williams, Administrative Assistant, and Mr. Brad Matthews, Assistant City Engineer.

Chairman Kevin Turner introduced the board members and staff members to the public.

Approval of Agenda – Motion by Mr. Turner to approve the October 10, 2023, agenda. **Second by Mr. Wiggins.** Voiced roll call was given. **Motion Carried.**

Approval of the Minutes – Motion by Mr. Lewis to approve the minutes from the regular meeting on September 12, 2023. **Second by Mr. Kemp.** Voiced roll call was given. **Motion Carried.**

Approval of the Minutes – Motion by Mr. Wiggins to approve the minutes from the special called meeting on September 21, 2023. **Second by Mr. Lewis.** Voiced roll call was given. **Motion Carried.**

Verification of No Conflict of Interest & Disclosure of Ex Parte Communication - None

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

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

- a. **S-22-23 Hightown Properties Master Plan** – Paige Howard requests master plan approval for approximately 3.99 acres located north of 36th Street and east of 26th Avenue.

Mrs. Ramm stated that Mrs. Paige Howard requests master plan and preliminary plat approval of 3.99 acres that is located north of 36th Street and east of 26th Avenue. We have had communications with the petitioner, and they have requested to withdraw these cases. Mrs. Ramm stated due to the timing of notice and when they were sent out, the petitioner is here tonight to make that request.

Jonathan Bonner with Insite Engineering, 515 Energy Center Boulevard, requested that this case be withdrawn from the agenda due to submittals and reviews.

Mr. Turner asked if this is pertaining to items a & b. Mr. Bonner stated yes.

Motion by Mr. Turner to approve to withdraw item A under Old Business for case S-22-23 Hightown Properties Master Plan. **Seconded by Mr. Wiggins.** Voice roll call was given. **Motion Carried.**

- b. **S-15-23 Hightown Properties, LLC Phase I** – Paige Howard requests preliminary plat approval for approximately 2.28 acres located at 2400 36th Street.

Motion by Mr. Turner to approve to withdraw item B under Old Business for case S-15-23 Hightown Properties, LLC Phase I. **Seconded by Mr. Kemp.** Voice roll call was given. **Motion Carried.**

- c. **SP-7-23 Mateo Felipe Baltazar** – Mateo Felipe Baltazar requests special use approval to allow the placement of a mobile home residence to be located at 6951 Baptist Campground Road.
WITHDRAWN BY STAFF.

Mr. Turner stated that this item has been withdrawn by staff prior to notification and there will be no vote needed.

NEW BUSINESS

- a. **A-10-23 University Beach, LLC** – University Beach, LLC requests annexation of 54.78 acres located north of McFarland Boulevard and east of Harper Road with the original zoning designation of C-6 (Highway Commercial).

Mrs. Ramm stated that University Beach, LLC has requested annexation of approximately 54.78 acres located north of McFarland Boulevard and east of Harper Road with an original zoning designation of C-6 (Highway Commercial) and this property does meet the annexation and zoning designation requirements.

Frank Summers with TTL, LLC, 13099 Shamblin Road, represented University Beach, LLC, stated the property shown is 54.78 acres. He stated that there is another 10 acres that is already zoned for C-6 and we are requesting the same due to the total property that is being purchased.

Chairman Turner opened the floor up for a public hearing.

Richard Daniels, 5605 Harris Circle, represented Shirley Farms Homeowners Association, stated that the HOA is opposed to the annexation unless it is a subdivision for single family homes that are one story with concrete slab foundations to match their neighborhood. He stated that this would match the character of our neighborhood and others nearby. Mr. Daniels stated that they are opposed to any apartments, town homes or commercial properties in this area and believes there is no housing shortage in Northport. He stated that there is no need for apartments and condominiums or this type of development in this town. He stated that they are afraid this would negatively impact their home value and increase crime in the area. Mr. Daniels stated that this is the same thing that happened to Grand Pointe Subdivision and they have seen a dramatically negative impact on their property value and do not want the same thing to happen to their neighborhood. He stated he had photos to submit to the commission for review. He stated that they are opposed to any road built off Harper Road for a proposed water park and the HOA previously expressed this to City Council in May and were told that there would be no road access on Harper Road. Mr. Daniels stated that if apartment and condominiums are to be built here that we are requesting they are required to have a privacy fence and access be gate security.

Mr. Turner asked if C-6 zone being requested would allow for apartments or condos. Mrs. Ramm stated no that those are allowed in C-3 with conditional use approval. Mr. Daniels stated that the notice stated that the proposed zoning was to be RS-SD, which is typical for apartments. Mrs. Ramm clarified the notice that was sent out to adjoining property owners and stated that the zoning request was amended to C-6 zoning. Mr. Daniels stated that they are also proposing a commercial development. Mr. Ward stated asked Mr. Daniels what would like to be proposed in this area. Mr. Daniels stated a single family home subdivision. Mr. Daniels submitted the photos to Mrs. Ramm.

Mr. Turner made the clarification that this request was for the C-6 zoning and not for RS-SD.

Timothy Beasley, 5605 Clearbrook Drive, stated that the Buckhead subdivision did not receive notice and the notice stated in your area. He stated that on the backside of this property is a wetland area and this is a flood zone. He asked how the road is going to come out of Harper Road for the water park. He stated that the increase in traffic will bring in more issues and that if they do bring a subdivision to this area, he requested a traffic light be put in.

Gary Kemp, 3606 Wagon Way, stated that he opposed the development as commercial. He had concerns about the infrastructure plans for the improvements due to Shirley Farms and Buckhead already having water issues in this area. He asked if this is to be developed what will be done about traffic at the intersection with Highway 82 and Harper Road intersection. He asked if the entrance to the water park is designed to come off Harper Road or McFarland. Mr. Turner stated that what has been presented is a rezoning case and we have not seen the plans for future development. He stated we are strictly voting on the rezoning of the property and there are no plans attached. Mr. Kemp stated that rezoning it without the plans for infrastructure will be backwards and that we should know what the plans are before making any type of changes. He stated that Shirley Farms receives a lot of water as is and we have had a flooding issue. Mr. Turner stated he was only answering the question on road issue and we will receive comments from the engineering department after.

Delane Williams, 3413 Horsebend Lane, asked that the commission take into consideration the Elementary School in Buckhead and is concerned about the traffic.

Mitchell Reese, 3420 Horsebend Lane, stated that the traffic on Harper Road is a concern and asked the commission about traffic cameras. Mr. Kemp stated that he works for ALDOT not for the city and if you see anyone out there, they will be collecting data. Mr. Reese stated that he is worried about the property value of their homes.

Roberta Peteet, 3522 Creek View Trace, stated that this is proposed by developers and we do not want this to be destroyed. She stated that traffic, which is this necessary and what is going on here. She stated that the council hasn't been transparent on the water park and asked for an explanation. Mr. Ward stated all we can do is look at what we are being proposed here and this is just step one of the processes.

With no one else to appear to speak on the matter, Mr. Turner closed the public hearing.

Mr. Turner asked Mr. Matthews about the drainage and traffic. Mr. Matthews stated that the development has to follow the ordinance on discharge they will apply for a permit. Mr. Turner asked about the traffic in the area and the process of a development. Mr. Matthews stated that the zoning ordinance has a requirement of 250 trips a day and if the development has more than that then that will require a traffic study. Mr. Turner asked if there was any recommendation from City's Engineering office would it be the responsibility of the developer to implement. Mr. Matthews stated that the type of thing looked for in situations like that are the intersection

improvements that would be needed and the cause of the increased level of service being caused by the development. He stated it would be the developer's responsibility to follow the recommendation.

Mr. Summers stated that this is only an annexation request of approximately 50 acres that is not within the city limits, and they will be keeping with the adjoining property they have purchased that is already zoned for C-6. Mr. Summers stated they had to choose a zone to come into the city's limits and decided to keep with the C-6 that is already within the limits. He stated when this is developed the master plan will require traffic studies. Mr. Summer stated with the two separate parcels of 50 and 10 acres, to subdivide it, we will be coming back before the board for review. He addressed the drainage issues and stated the preliminary review for property Harper Road area is a high point that drains to the west and the east and we will have to come back before the engineering department on this matter when developed.

Mr. Turner stated again this is just a recommendation to the City Council.

Mr. Kemp asked the public to show a raise of hands on who was here just for this case and a majority of the public raised their hands.

Motion by Mr. Turner to make a favorable recommendation to the City Council to annexation of approximately 54.78 acres located north of McFarland Boulevard and east of Harper Road with the original zoning designation of C-6 (Highway Commercial). **Seconded by Mr. Wiggins.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Kemp – No; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Ward – Yes; and Mr. Randolph – Yes. **Motion Carried.**

- b. **R-17-23 Northcreek Properties, LLC** – Northcreek Properties, LLC requests rezoning of approximately 1.91 acres from C-3 (General Commercial) to RS-SD (Residential Special District) located east dead end of Northcreek Boulevard and Union Chapel Road.

Mrs. Ramm stated that Longleaf Engineering is representing the petitioner in case b, c, and d due to their connection to each other. She stated that Northcreek Properties, LLC requested rezoning of approximately 1.91 acres from C-3 (General Commercial) to RS-SD (Residential Special District). Mrs. Ramm stated that Sullivan Properties has requested rezoning of approximately 69.45 acres from RS-1 (Single – Family Residential) to RS-SD (Residential Special District). She stated that Brasher Holdings has requested a revision of the Master Plan for The Terrace at Northcreek. Mrs. Ramm stated that the property is located at the east dead end of Northcreek Boulevard and they do meet the rezoning qualifications for rezoning to RS-SD. She stated that the master plan revision includes 163 lots in phase II -V and they have proposed setbacks are 25' front, 25' rear, and 7' on each side. She stated that the waivers are addressed at the preliminary plat submittal. However, the layout of required stub streets does not meet the subdivision regulations. She stated that approval of the master plan would require approval of a waiver of stub streets at the preliminary plat level. Mrs. Ramm stated that the steep slope impact for this proposal does exceed 15 percent which is allowable per the zoning ordinance with approval of the Planning Commission and they are indicated in the commission's packets.

Tom Sims 432 65th Street with Longleaf Engineering represented Northcreek Properties, Sullivan Properties, and Brasher Holdings on the rezoning and master plan. He stated that the developer has spoken with staff and received feedback and applied it. Mr. Sims stated that the single lots sizes have been modified with 33% open space available. He stated the amenities include playground, walking trail, and dog park. Mr. Sims stated that the first phase does not include any amenities. He stated that they understand that the block width should be 400 ft per ordinance with a 200 feet deep lots but stated that not all developments met this.

Mr. Turner stated that seeing open space that can be used to enhance the neighborhood made him look at the zoning ordinance on this. He stated that a key sentence in the ordinance reads open space should have qualities making it useful to the residence of the development whether it be active or passive recreation and will be developed to serve that purpose. He asked by looking at how the RS-4 zoning is utilized how they meet this requirement. Mr. Sims stated that he does not think that all the open space should have to be filled with some type of playground equipment. He stated that they do have a walking trail, pavilion and playground and a dog park. But there is some green space which will have some detention ponds. Mr. Turner asked about the open space at the east corner strip behind the lots on the master plan. Mr. Sims stated that is a large drainage drop with a significant elevation drop and this was already an unuseful place regardless. Mr. Turner asked referencing the master plan, the area in between the yellow and orange lots open space, is this a useable space. Mr. Sims stated it was green space and it has some slope elevation, it would be your definition of useful. Mr. Turner asked about the color differentiation on the plat. Mr. Sims stated that they differentiate the phases and lot size.

Mr. Turner asked if anyone on the commission had any questions for Mr. Sims. He stated that this is to cover the development.

Chairman Turner opened the floor up for a public hearing for agenda items B, C, and D, two rezonings and master plan revision.

Ken Faught, 1503 Mallard Circle, stated that they met with the homeowner association and as the subdivision exists now, they are in favor and look forward to this development happening.

With no one else to appear before the board, Mr. Turner closed the public hearing.

Mr. Kemp stated that with the block length, in his opinion, things in the ordinance need to stick. He stated that the lots in the orange are cut down 200 feet and less and that he has issues with that. Mr. Kemp stated that if it is approved now there is no going back. Mr. Turner asked that if even with a master plan would they have to come back with waivers on the preliminary plat. Mrs. Ramm stated that if the waiver on the preliminary plat is denied it would require another revision on the master plan.

Motion by Mr. Wiggins to make a favorable recommendation to the City Council to rezone approximately 1.91 acres from C-3 (General Commercial) to RS-SD (Residential Special District) located east of Northcreek Boulevard and Union Chapel Road. **Seconded by Mr. Ward.** Roll call vote was as follows: Mr. Wiggins – Yes; Mr. Ward – Yes; Mr. Kemp – No; Mrs. Kelly – Yes; Mr. Lewis – No; Mr. Randolph – No; and Mr. Turner – Yes. **Motion Carried.**

- c. **R-18-23 Sullivan Properties, LLC** – Sullivan Properties, LLC requests rezoning of approximately 69.45 acres from RS-1 (Single – Family Residential) to RS-SD (Residential Special District) located east of Northcreek Boulevard and Union Chapel Road.

Motion by Mr. Wiggins to make a favorable recommendation to the City Council to rezone approximately 69.45 acres from RS-1 (Single – Family Residential) to RS-SD (Residential Special District) located east of Northcreek Boulevard and Union Chapel Road. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Wiggins – Yes; Mr. Kemp – No; Mrs. Kelly – Yes; Mr. Lewis – No; Mr. Randolph – Yes; Mr. Turner – Yes; and Mr. Ward – No. **Motion Carried.**

- d. **S-23-23 The Terrace at Northcreek Master Plan Revision** – Brasher Holdings, LLC requests revisions to the approved master plan for approximately 72.22 acres for Phases II-V located at the east dead end of Northcreek Boulevard.

Motion by Mr. Wiggins to approve the master plan revision of approximately 72.22 acres for Phase II-V located at the east dead end of Northcreek Boulevard. **Seconded by Mr. Randolph.** Roll call was as follows: Mr. Wiggins – Yes; Mr. Randolph – No; Mr. Kemp – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Turner – Yes; and Mr. Ward – No. **Motion Failed.**

- e. **A-11-23 Thompson Family Limited – REHEARING** – Thompson Family Limited requests annexation of approximately 30.1 acres with the original zoning designation of RS-SD (Residential Special District) located north of Owen Parkway and east of Highway 43.

Mrs. Ramm stated that the petitioner, Thompson Family Limited has requested a rehearing of the annexation request of 30.1 acres with a zoning designation of RS-SD. She stated that they have also requested a rehearing of a rezoning request of 3.33 acres from C-3 to RS-SD. Mrs. Ramm stated that the properties are located north of Owen Parkway and east of Highway 43 and they are associated with the Master Plan for Magnolia Hills West. She stated that the properties met the requirements for annexation and rezoning to RS-SD. Mrs. Ramm stated that the zoning ordinance requires a site development plan or master plan with any rezoning request of RS-SD. She stated that annexation and rezoning requests were heard at the July Commission meeting and the previous request was to zone the property to RS-4. She stated that those items failed to receive a favorable recommendation and because their resubmittal comes within one year of denial, the Commission must determine if there has been a substantial change in the facts of the case. Mrs. Ramm stated that the proposed master plan revision includes 94 lots in two phases with proposed setbacks of 25' front, 25' rear and 7' on each side. She stated that typically the waivers are addressed at the preliminary plat submittal, the stub street requirement does not appear to meet the subdivision regulations. Mrs. Ramm stated the proposed master plan would likely require approval of a waiver of stub streets at the preliminary plat level.

Mr. Turner stated that the Commission will need to decide if there has been a substantial change in the facts of this case. He stated evidence or circumstances of early reconsideration is necessary to prevent undue hardship to the petitioner and an early consideration will not result in an undue hardship on the Commission or other parties. He stated that we will hear the annexation and rezoning rehearing cases first.

Tom Sims, 432 65th Street with Longleaf Engineering, represented Thompson Family Limited, stated that previously with the RS-4 zoning request was not entirely compatible with the neighboring properties. He stated in reference to the zoning map, that the yellowish color that is under subject property are RS-SD properties and the orange is commercial, the other would be Northwood Estate that is RS-1. He stated that previously the only requirement for a rezoning and annexation request was a concept plan and not a formal submission. Mr. Sims stated from a change standpoint of the concept and layout, there is not much that has changed. He stated that in our opinion if you're asking for a zoning classification and it's been denied the only recourse of substantial change is request a different zoning.

Mr. Turner asked what the hardship was to have this case reheard early. Mr. Sims stated that the speed of development and having the developer move forward with the project instead of waiting a year. He stated he believes this will be beneficial to everyone, developers, and city.

Mr. Turner asked if the commission had any questions.

Mr. Ward asked Mrs. Ramm if the substantial change was going from RS-SD to RS-4. Mrs. Ramm stated that is a change and it is up to the Commission to determine if that is substantial or not. She stated that included in the packet, there is a chart with the breakdown of the each of the proposed lots and you can see that the majority of the proposed development will be RS-SD sized lots. Mrs. Ramm stated that there are zero RS-4 lots that are proposed or met RS-4 standards, there is 15% that meet RS-3 standards, there 1% that will meet RS-2 standards and 3% that would met RS-1 standards.

Mr. Turner asked if the previous case did not get a favorable recommendation, if it would have been all RS_4 then you would have had 6,000 square foot minimum area, 60 ft width, and 100% RS-4. Mrs. Ramm stated that is correct. Mr. Turner stated now you have 0% for RS-4 and 81% more dense than what was voted down previously. Mrs. Ramm stated that RS-4 has 6000 square feet and 60 feet wide and with RS-SD you have 4,000 square feet and 55 feet wide wide lots.

Mr. Wiggins asked if the number of lots where the same. Mrs. Ramm stated it was very close and as Mr. Sims stated what was presented previously was just a conception plan and not an actual master plan submittal as this.

Mr. Sims stated he would like to point out that density is a consideration from a preliminary plat standpoint, but we are proposing zoning that matches other zoning nearby and we are meeting the requirements of that zoning.

Chairman Turner opened the floor for a public hearing for the annexation and rezoning case.

Kevin Almond, 4704 Oak Way, stated that the lots were presented as RS-4 and do not match. He stated that they already declined this before and there is nothing that we have heard that is different. He stated he has concerns regarding the entrance and exit out of the neighborhood for the safety of the area.

Richard Born, 4703 Oak Way, stated that the entrance into this neighborhood is an issue with the connection between neighborhoods. He stated it would affect the property value of their homes. He asked the commission to deny especially if there was a connection to another neighborhood.

Steven Eure, 3808 Silver Maple Drive, stated he lives at the connection of Oak Way and Magnolia Circle and that connectivity is an issue. He stated if that road is connected it would cause increased traffic with Northwood Lake, Northwood Estates, and this proposed development with people cutting through.

Ashraf Hassan, 3805 Silver Maple Drive, stated he feels safe in his home and location but if this is passed he will not feel that way with the traffic.

RC Snead, 4917 Oak Way, stated that when the land was first cleared, they had heavy equipment coming up Oak Way and did a lot of damage to the roads and they still hold water. He stated that he has photos for the Commission showing the damage and that the developers do not care about the damage it has caused. He stated that out at Highway 43 there are no traffic lights and it is dangerous. Mr. Snead stated that the lot sizes would be an eye sore and will lower property values and cause major traffic issues. He stated he is opposed to the development.

Kenneth Shotts, 3907 Silver Maple Drive, stated the connectivity is an issue. He asked about the neighboring property why they cannot buy this and have that be another entrance. He asked that with this being a master plan and them not owning the lot where they have an exit going to it, why can they not combine this property and put the outing there. He stated that would solve that issue.

Christopher Poling, 5109 Oak Way, stated that part of the board's function is to maintain the flavor of certain areas of the city and that the Oakway, Northwood Lake, and Northwood Estates neighborhood is unique and adding to this would change it. He stated that this would degrade that.

Ray Jacobs, 4606 Tuliptree Lane, stated that he works with law enforcement. He stated that this neighborhood is full of pedestrians and adding more traffic will cause someone to get hurt. He stated that the road is in bad need of repairs and more traffic will make this worse. He also stated that there is limited site distance to exit on Highway 43 without a red light.

Mr. Turner asked the public if anyone else had any concerns other than the traffic to be presented.

Billy Yessick, 4621 Magnolia Circle, asked if Northport has done any studies with the traffic coming in and out of Northwood Lake. He stated that the roads are narrow and everyone walks on the streets.

With no one else to appear before the board to speak on the matter, Mr. Turner closed the public hearing.

Mr. Turner asked Mr. Sims to come up and address the concerns of the public that are connectivity and traffic and stated that they are valid. He asked Mrs. Ramm if the petitioner owned the entire property out to Highway 43. Mrs. Ramm stated yes except for the little notch area. Mr. Turner asked is there not a way to connect to this property.

Mr. Sims stated that there is not a way to connect to this property since the developer who he is representing is not the owner of the property. Mr. Turner asked if the owner was the petitioner. Mr. Sims said yes and that he is going to use this property for commercial purposes. He stated that we show that area as a stub street since it is a requirement from the city. Mr. Sims stated that from a professional engineering and planning perspective it is not always a positive opinion for the stub street but from a developer standpoint we do not care. He stated he understands why the public does not get it. Mr. Sims stated that if the city removes the requirement, we will remove the connection. He stated we are up to putting emergency access in and that we are just continuing the development of a subdivision. He stated we are just conforming with the city's requirements.

Mr. Wiggins asked about the stubbing out of the street onto properties that are not included in this plan, what is the possibility of the owner would either add the roadway or they are not going to. Mr. Sims stated that was another requirement from the city and that is a question for the owner that he cannot answer.

Motion by Mr. Turner to rehear case A-11-23 Thompson Family Limited for the annexation of approximately 30.1 acres with the original zoning designation of RS-SD located north of Owen Parkway and east of Highway 43. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Turner – No; Mr. Kemp – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Randolph – No; Mr. Ward – No; and Mr. Wiggins – No. **Motion Failed.**

- f. **R-16-23 Thompson Family Limited** – REHEARING – Thompson Family Limited requests rezoning of approximately 3.33 acres from c-3 (General Commercial) to RS-SD (Residential Special District) located north of Owen Parkway and east of Highway 43.

Motion by Mr. Turner to rehear case R-16-23 Thompson Family Limited for the rezoning of approximately 3.33 acres from C-3 (General Commercial) to RS-SD (Residential Special District) located north of Owen Parkway and east of Highway 43. **Seconded by Mr. Lewis.** Roll call was as follows: Mr. Turner – No; Mr. Lewis – No; Mr. Kemp – No; Mrs. Kelly – No; Mr. Randolph – No; Mr. Ward – No; and Mr. Wiggins – No. **Motion Failed.**

- g. **S-24-23 Magnolia Hills West Subdivision Master Plan** – Thompson Family Limited requests master plan approval for approximately 33.4 acres located north of Owen Parkway and east of Highway 43.

Tom Sims requested that the case be withdrawn.

Motion by Mr. Turner to withdraw case S-24-23 Magnolia Hills West Subdivision Master Plan. **Seconded by Mr. Wiggins.** Voice roll call was given. **Motion Carried.**

- h. **S-26-23 Gloryland Master Plan Revision** – Hill & Spann Lan Company, LLC requests revisions to the approved master plan for 87.9 acres located east of Highway 43.

Mrs. Ramm stated that petitioner Hill and Spann Land Company, LLC has requested a revision to the approved master plan for Gloryland Subdivision and a preliminary plat approval for the Resurvey of Lots 1 & 2 Gloryland Subdivision. She stated that the total acreage of the preliminary plat is 17.5 acres and this property is located east of Highway 43 and south of Owen Parkway. Mrs. Ramm stated the petitioner requested a waiver on the landscaping. She stated that the zoning ordinance will be enforced with the property is developed.

Mr. Tom Sims, 432 65th Street, with Longleaf Engineering, represented Hill and Spann Land Company, LLC, stated that the property subdivided intent was to have commercial properties. He stated that it was one large parcel. He stated that the turn out has been approved by ALDOT and this is just a resurvey of the property.

Mr. Turner asked about the sidewalks.

Mr. Sims stated yes on both sides of the road and the resurvey the three lots that front Owen Parkway will have sidewalks. He stated that it shows sidewalks on that portion that was a waiver in 2010 but per staff's recommendation we are installing that.

Mr. Randolph asked about the two boundary lines that are east, south, and southwest. Mr. Sims and Ruth Ann Barger stated that to shows that master plan that is requested for resurveyed verses what is being included in the subdivision. She stated that there is a subdivision line and then the master plan line.

Chairman Turner opened the floor for a public hearing.

With no one else to appear before the board to speak on the matter, Mr. Turner closed the public hearing.

Mrs. Ramm stated that Mr. Lewis had to leave the meeting.

Motion by Mr. Turner to approve the revised master plan of approximately 87.9 acres located east of Highway 43 and south of Owen Parkway. **Seconded by Mr. Wiggins.** Roll call was as follows: Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; and Mr. Ward – Yes. **Motion Carried.**

- i. **S-25-23 Resurvey of Lots 1 & 2 Gloryland Subdivision** – Hill and Spann Land Company, LLC requests preliminary plat approval for approximately 17.5 acres located east of Highway 43 and south of Owen Parkway.

Motion by Mr. Turner to approve the preliminary plat of approximately 17.5 acres located east of Highway 43 and south of Owen Parkway. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Randolph – Yes; Mr. Ward – Yes; and Mr. Wiggins – Yes. **Motion Carried.**

CITIZEN COMMUNICATIONS

DISCUSSION

a. Comprehensive Plan Presentation

Jason Fondren with KPS Group presented a Powerpoint presentation of the Comprehensive Plan for Northport to the Commission. He discussed each portion of the plan in detail and he stated that this type of plan is to help the City in responding to issues in a proactive manner that deals with infrastructure, development, facilities, and surfaces. Mr. Fondren stated that this has involved public engagement with the community and staff on developing this plan for Northport's future.

Mrs. Ramm stated that she would like to push this document out to the Commission for review and have a public hearing to implement the Comprehensive Plan. She stated we will put this on the November agenda.

The Commission stated that a special meeting would be appropriate to allow the public to give feedback. The Commission will communicate on a date for a special meeting for the Comprehensive Plan.

ADJOURNMENT – Motion by Mr. Turner to adjourn the meeting. **Seconded by Mr. Randolph.** Roll Call by voice vote the meeting was adjourned.

Kevin Turner, Chairman

ATTEST:

Julie Ramm, Secretary

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

Case: S-27-23
Applicant: Michael Cicalla
Request: Preliminary Plat Approval

Michael Cicalla requests preliminary plat approval for approximately 2.59 acres located east of Countryside Drive. The plat consists of two lots with a total acreage of 2.59 acres. This property is not located within the city limits. However, it is located within the City's Planning Jurisdiction. The City has received a letter from the Tuscaloosa County Engineer that states they will not require half street improvements and sidewalks along Countryside Drive (County maintained ROW).

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

New Submission ☒

Re-Submission ☐

Date of first submission: _____

City of Northport

Preliminary Plat Application and Checklist

Date of Plng Comm Mtg: ____/____/____

Deadline: ____/____/____

Application Submitted: ____/____/____

Name of Subdivision: Cicalla Division

Name of Applicant: Michael J. Cicalla

Phone: (901) 832-9923

Name of Owner: Michael J. Cicalla

Phone: (901) 832-9923

Address: 14201 Countryside Drive Northport, AL 35475

Engineer: N/A

Phone: _____

Address: N/A

Email: _____

Surveyor: Jamie Autery

Phone: _____

Address: 1470 Northbank Parkway, Suite 161 Tuscaloosa, AL 36406

Email: jautery@alsurvey.com

In City Limits? Yes ☐
No ☒

Current Zoning: N/A

Proposed Zoning: N/A

Total Acreage: 2.59

Total Lots: 2

Any rezoning requests must be accompanied by appropriate application

Date of Predesign/Pre-application Meeting: 09 / 28 / 2023

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: _____

Is this design in substantial compliance with approved master plan? Yes ☐
No ☒

Describe the Location of Property to be Subdivided:

East side of Countryside Drive

Will any waivers be requested? Yes ☒
No ☐

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

Waivers:

Half Street Improvements and Sidewalks

****All of the above information has been completed or marked "N/A." Initial J ****

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: 10 / 10 / 23

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

New Submission ☒Re-Submission ☐

Date of first submission:

____/____/____

City of Northport

Preliminary Plat Application and Checklist

Name of Subdivision: Cicalla DivisionName of Applicant: Michael J. CicallaPhone: (901) 832-9923

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

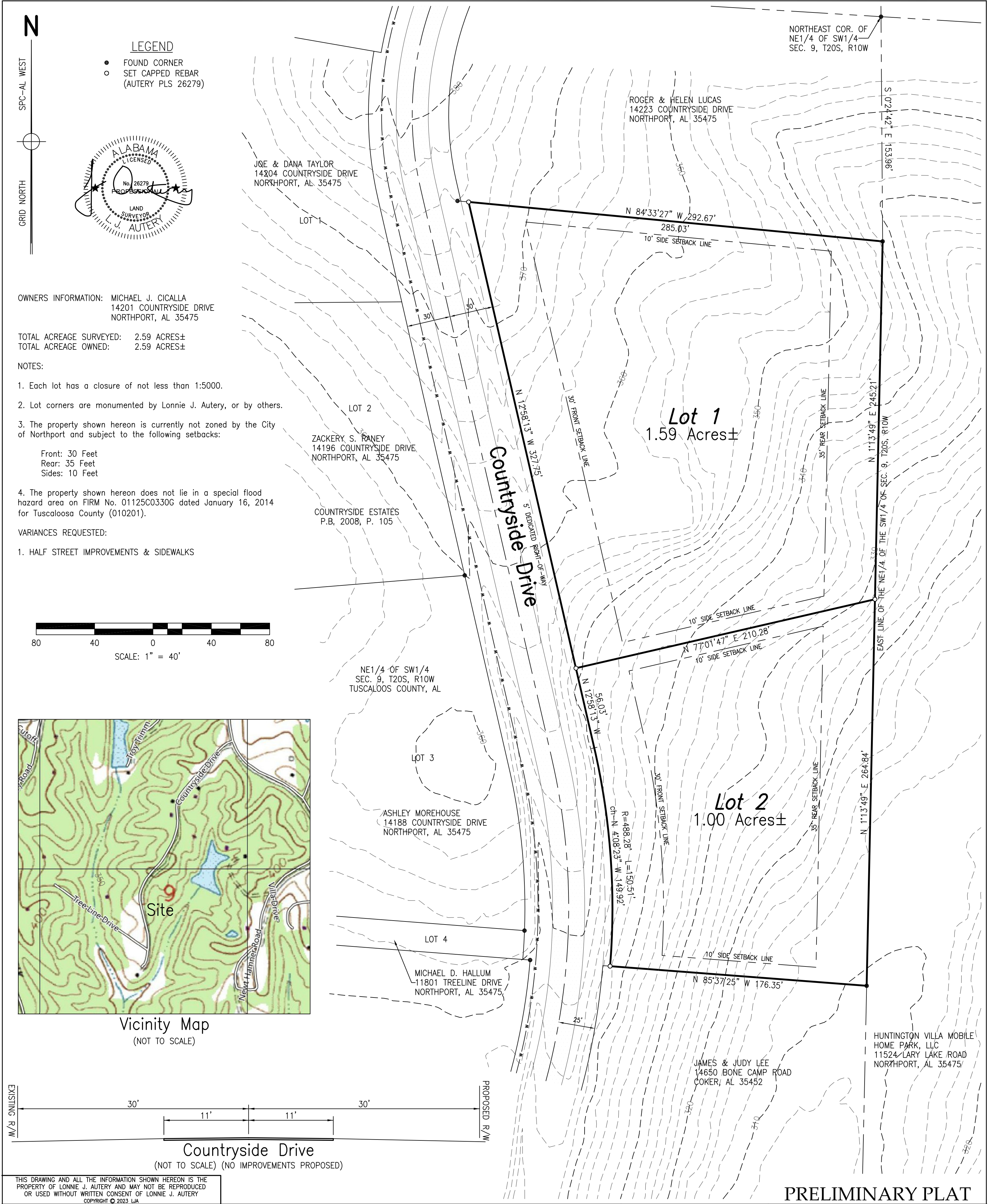
Additional Required Items for Submission:

- ☒ 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: 10 / 10 / 23





Scott F. Anders, P.E.
County Engineer

TUSCALOOSA COUNTY PUBLIC WORKS DEPARTMENT

2810 35th Street
Tuscaloosa, Alabama 35401
(205) 345-6600
FAX (205) 345-6600



Tracy M. Criss, P.E.
Assistant County Engineer

September 29, 2023

Dear Sir or Madam:

Re: Proposed Cicalla Division – City of Northport Planning and Zoning Jurisdiction
Countryside Drive – Two Lots
Requirements of Half-Street Improvements and Sidewalks
Tuscaloosa County Roads
Tuscaloosa County, Alabama

Tuscaloosa County requests that half-street improvements not be constructed within rights-of way maintained by Tuscaloosa County. As per Tuscaloosa County Subdivision Regulations, sidewalks are required when serving 21 or more lots, however, the Tuscaloosa County Commission will consider waiving this on a case by case basis.

Tuscaloosa County reserves the right to reverse this policy.

If you have any questions, please feel free to call.

Sincerely,

Scott F. Anders, P.E.
Tuscaloosa County Engineer

SFA/jgc

City of Northport Planning Commission

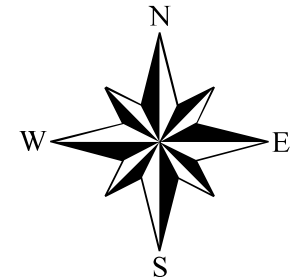
Preliminary Plat

Zoning

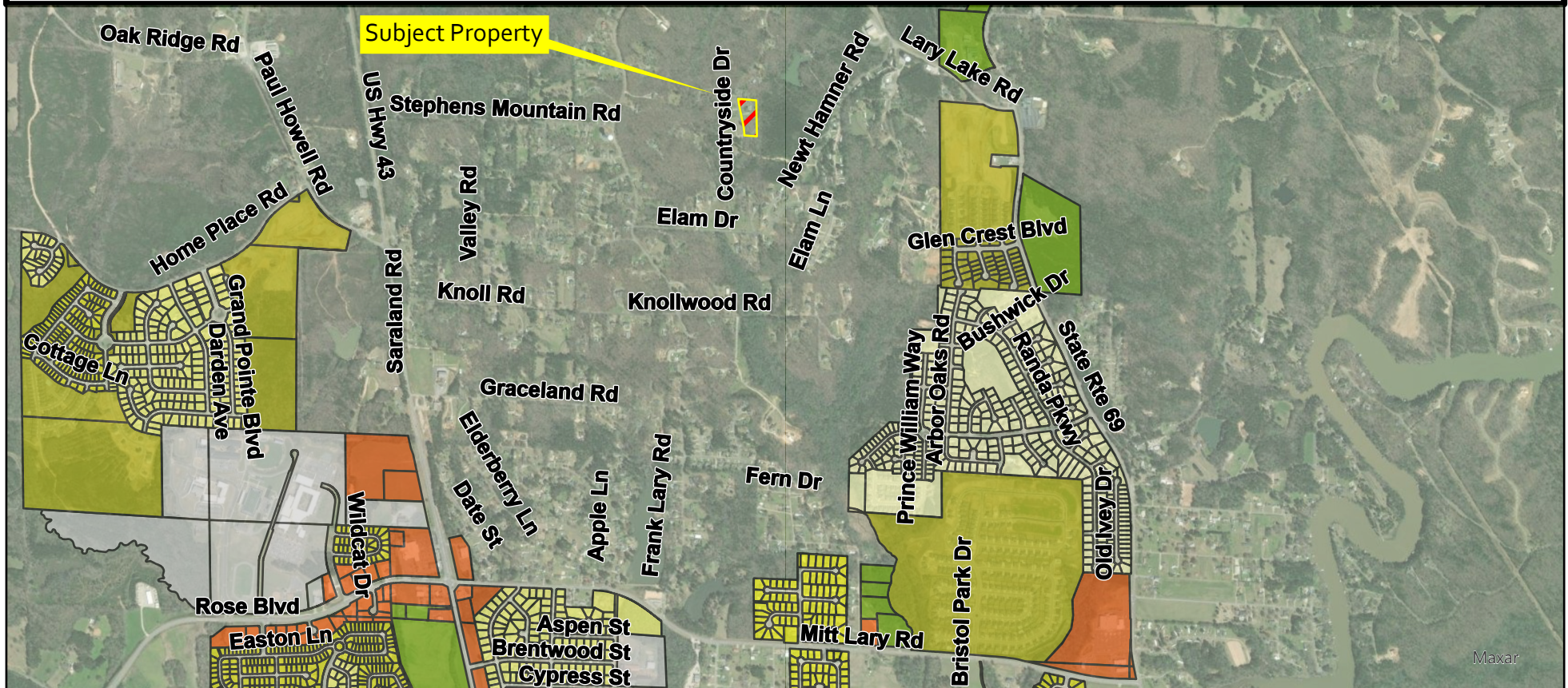
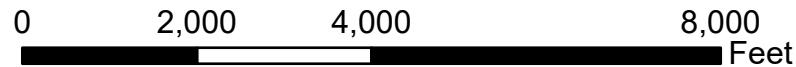
Zoning_Typ

- Agriculture
- General Commercial
- Neighborhood Commercial

- Office and Institutional
- Residential Single-Family - 1
- Residential Single-Family - 2
- Residential Single-Family - 3
- Residential Single-Family - 4
- Residential Single-Family - SD



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 and Zoning Commission – November 14, 2023
Planning Staff Report

Case: S-28-23
Applicant: Saroni Real Estate
Request: Master Plan Approval

Saroni Real Estate, LLC requests approval of a master plan for Legends Bend Subdivision. The total acreage of the master plan is 32.05 acres. The property is located west of Highway 43 and south of River Oak Drive. The property will be developed in three phases as a commercial subdivision. The proposed uses include an assisted living facility, nursing home, medical offices, restaurant, and a shopping center. There will be minimal public streets within the development to limit the City's maintenance requirements within a private development. Typically, waivers are addressed at the preliminary plat submittal. However, the layout of required stub streets does not appear to meet the subdivision regulations. Approval of the proposed master plan would likely require approval of a waiver of stub streets at the preliminary plat level.

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



 PERMIT PROJECT
FILE #: 23-001738
HWY 43 COUNTY NORTH AL
LEGENDS BEND MASTERPLAN



PERMIT #: PPA23-000026

Permit Type

Preliminary Plat Application

Subtype

Preliminary Plat Application



Work Description:

Legends Bend Master Plan

Applicant

Wesley Hallman



Status

Online Application Received



Valuation

0.00



FEES & PAYMENTS

Plan Check Fees

437.00

Permit Fees

8.74

Total Amount

445.74

Amount Paid

445.74

Balance Due

0.00



Non-Billable



PERMIT DATES

Application Date

10/13/2023

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

Property Information

Additional Parcel #s

63 20 09 32 1 005 004.000

63 20 09 32 1 005 003.000

63 20 09 32 1 005 003.002

63 20 09 32 1 005 003.001

Contact

I Am The

Engineer



Property Owner

SARONI REAL ESTATE LLC



Engineer

PORTER-HIGGINBOTHAM - BRUCE HIGGINBOTHAM



Surveyor

Herndon, Hicks and Associates, Inc. - Mike Hicks



PROJECT INFORMATION

Number of Adjacent Property Owners

20

In City Limits?

Yes



Current Zoning

C-3



Change in Zoning Requested

C-3



Total Acreage

32.05

Total Lots

12

Is this property over 20 acres or part of a master plan?

Yes



Name of master plan

Legends Bend

Is this design in substantial compliance with approved master plan?

Yes



i Date of Predesign/Pre-application Meeting
07/10/2023

Name and date of most recent approved master plan
This application is for Master Plan Only

Describe the Location of Property to be Subdivided
Part of the Southwest Quarter of the Northeast Quarter of Section 32, Township 20 South, Range 10 West, Tuscaloosa County, AL; North of the intersection of AL-171 and US-43, South of River Oak Drive

Will any waivers be requested?
No

Submittal Requirements

Copy of Plat

LEGENDS BEND - MASTER PLAN.pdf



Legal Description

DB 2009 PG 20305.pdf

DB 2012 PG 110.pdf

DB 2021 PG 16195.pdf

DB 2022 PG 31442.pdf



Notarized Designation to Authorize Agent Form (Click to Download)

Designation of Agent-Signed.pdf



Other Submittal Documents

Address Labels Word File.doc



Checklist

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.**

Names and addresses of current record (as per the tax assessors records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc

Yes



Name and address of the owners, and the surveyor of the plat. Surveyor shall be registered to practice in the State of Alabama.

Yes



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

Yes



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

Yes	▼
Lot dimensions, areas, building lines and back and side setback lines and lot and block numbers and proposed street names N/A	▼
Rights-of-way, easements, alleys, location and proposed widths N/A	▼
Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument. N/A	▼
Any pertinent topographic features existing on the site N/A	▼
Proposed storm drains, sanitary sewer, and water lines with approximate sizes and design data N/A	▼
Location and dimensions of existing storm and sanitary sewers, and water lines N/A	▼
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 N/A	▼
A vicinity sketch showing location of proposed site in relation to existing major streets, etc N/A	▼
Width of all proposed paving in the proposed project from back to back of curb N/A	▼
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 N/A	▼
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 N/A	▼
The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property N/A	▼
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 N/A	▼
Street cross-section, showing proposed construction and statements concerning type of material to be used in construction N/A	▼
Location of proposed sidewalks N/A	▼
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 N/A	▼
Any requested waivers listed on plat (explanation for waiver requests in accompanying paperwork) N/A	▼
This plat is compliant with all applicable requirements for preliminary plats as per the Northport Subdivision Regulations N/A	▼

All of the above information has been completed or marked N/A.

Initial
WJH

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**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.

Signature

signature.png



Official Use Only

Planning Commission Meeting Date

Deadline Date

FEES



FEE	DESC	QUANTITY	AMOUNT	TOTAL	
Application Fee				250.00	
Advertising Fee				25.00	
Adjoining Properties Fee				162.00	
Convenience Fee		1.0	8.7400	8.74	
Plan Check Fees				437.00	
Permit Fees				8.74	
Total Fees				445.74	

PAYMENTS



DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT	
10/13/2023	Credi	AA0A7AD2	PPA2	22206	- Wesley	445.74	
Amount Paid						445.74	
Balance Due						0.00	

LEGENDS BEND
MASTER DEVELOPMENT PLAN

ENGINEER:
PORTER-HIGGINBOTHAM ENGINEERING, INC.
2009 PAUL W BRYANT DRIVE, SUITE C
TUSCALOOSA, AL 35401
(205) 860-5198

SURVEYOR:
HERNDON, HICKS & ASSOCIATES, INC.
2728 LURLIEN WALLACE BLVD
NORTHPORT, AL 35476

PROPERTY OWNER
NAME: SARONI REAL ESTATE LLC
ADDRESS: 1718 VETERANS MEMORIAL PKWY, SUITE A
TUSCALOOSA, ALABAMA 35404

- NOTES:
1. THIS PROPERTY IS CURRENTLY ZONED AS C-3. THE PROPERTY IS LOCATED IN THE CITY OF NORTHPORT.
 2. CONTOURS USED IN PLAT ARE FROM TUSCALOOSA COUNTY AND CITY CONTOURS OF AERIAL MAPPING 2009 AND TOPOGRAPHIC SURVEY CONDUCTED IN 2023.
 3. THE DETENTION POND WILL BE INSTALLED DURING PHASE 1.
 4. ALL WORK ON US-43 AND ALDOT ROW WILL BE COMPLETED DURING PHASE 1.
 5. THIS PROJECT LIES COMPLETELY OUTSIDE OF THE 100-YEAR FLOOD PLANE.
 6. CITY ROW USE AGREEMENT WILL BE REQUIRED FOR ON STREET PARKING.

40.95 ACRES OWNED
32.05 ACRES OWNED UNDER DEVELOPMENT
22.49 ACRES DEVELOPED IN PHASE I
9.56 ACRES IN ADDITIONAL PHASES

PHASE I TOTAL LOTS: 3
PHASE II TOTAL LOTS: 5
PHASE III TOTAL LOTS: 4

C-3 SETBACKS:
FRONT: 20'
REAR: 20'
SIDE: 10'*

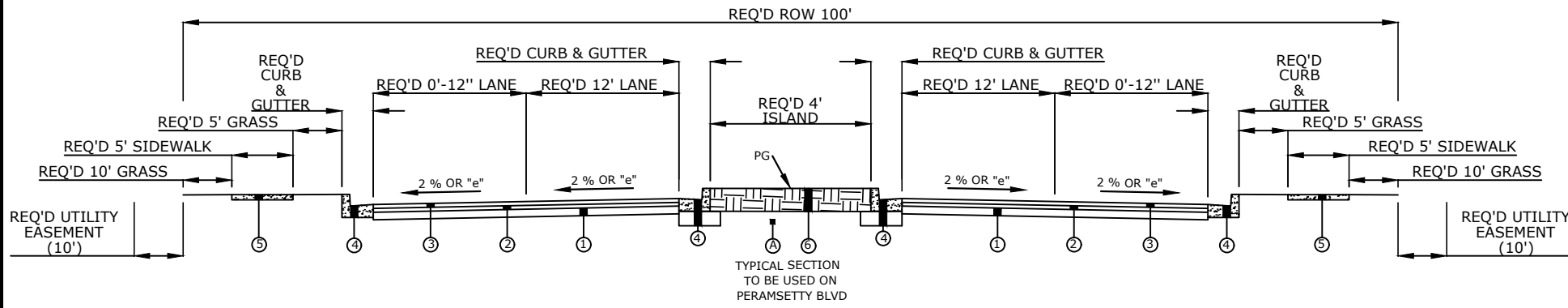
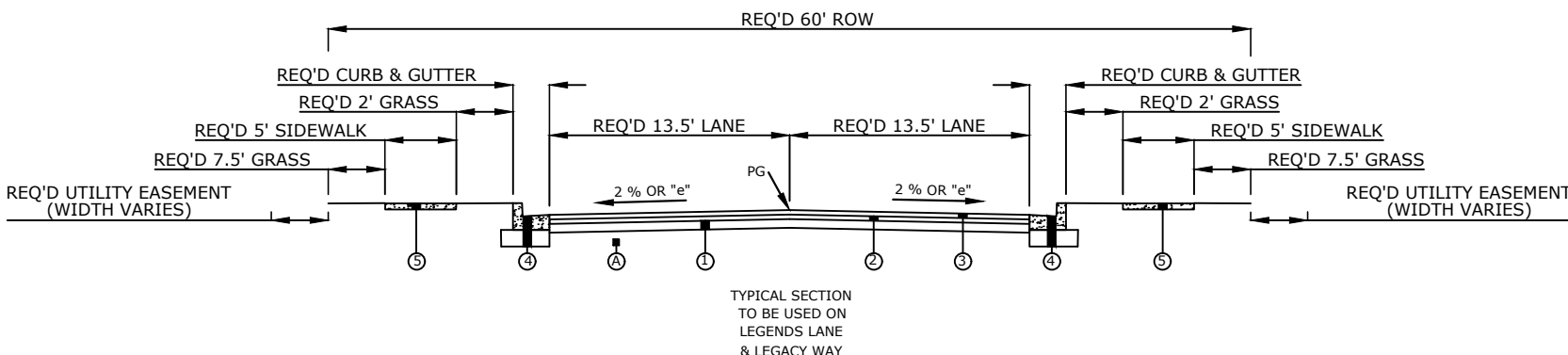
SIDE SETBACK ALONG STREET 20'.

PHASE LEGEND:

PHASE I

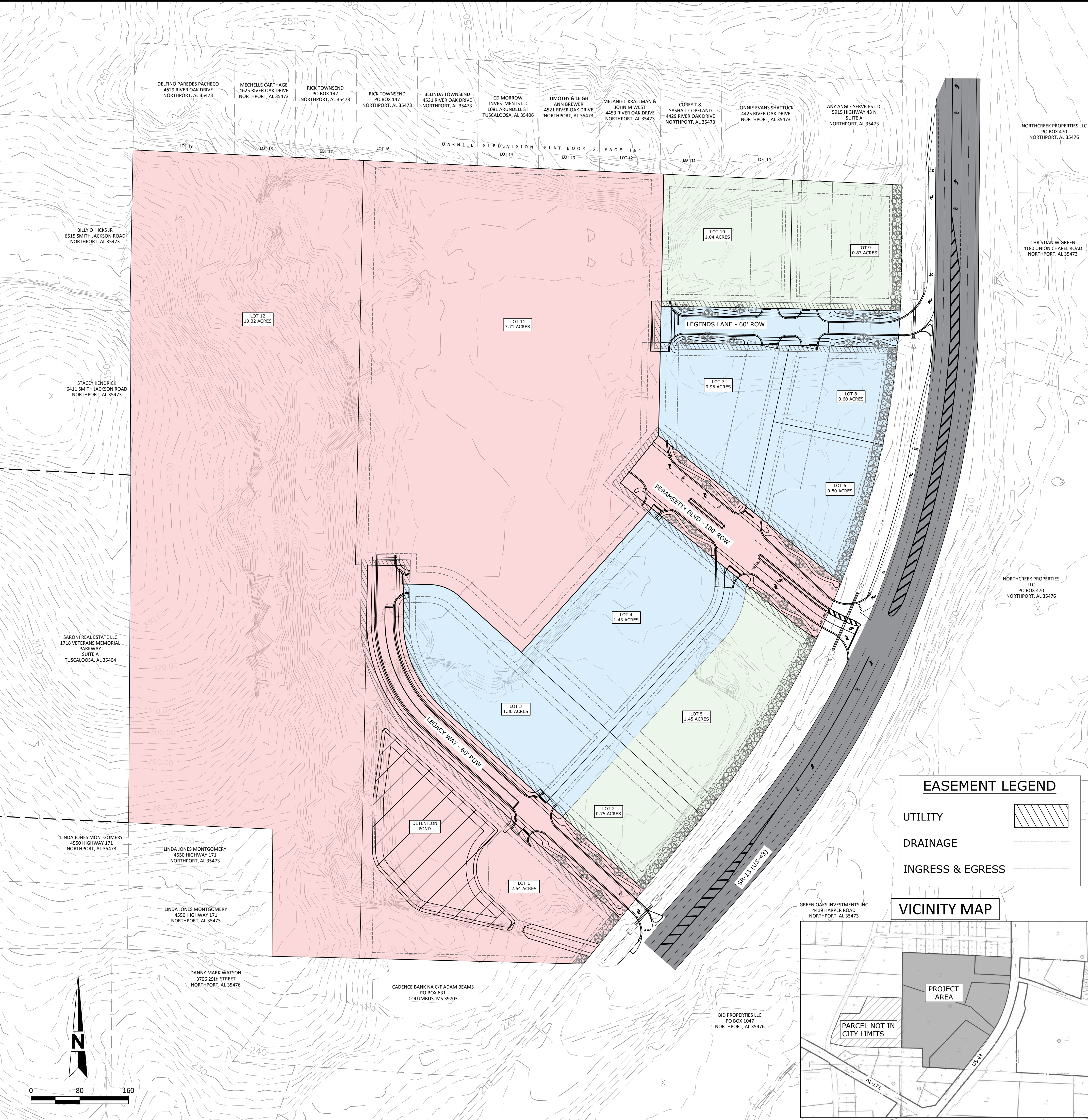
PHASE II

PHASE III



REQUIRED AND IN-PLACE ITEMS	
LEGEND	DESCRIPTION
A	IN-PL EXISTING COMPACTED SUBGRADE (RETAIN)
1	REQ'D CRUSHED AGGREGATE BASE (10" THICK)
2	REQ'D BITUMINOUS CONCRETE UPPER BINDER LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX, EASAL RANGE A/B (120 LB/SY)
3	REQ'D BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX, EASAL RANGE A/B (150 LB/SY)
4	REQ'D CONCRETE COMBINATION CURB & GUTTER
5	REQ'D CONCRETE SIDEWALK
6	REQ'D TOPSOIL

LOT NUMBER	USE
LOT 1	ADDITIONAL PARKING / STORMWATER DETENTION
LOT 2	SHOPPING CENTER
LOT 3	ASSISTED LIVING
LOT 4	ASSISTED LIVING
LOT 5	SHOPPING CENTER
LOT 6	RESTAURANT
LOT 7	MEDICAL OFFICES
LOT 8	SHOPPING CENTER
LOT 9	SHOPPING CENTER
LOT 10	SHOPPING CENTER
LOT 11	NURSING HOME / ASSISTED LIVING
LOT 12	OPEN SPACE (STABILIZED HILLSIDE SLOPE)



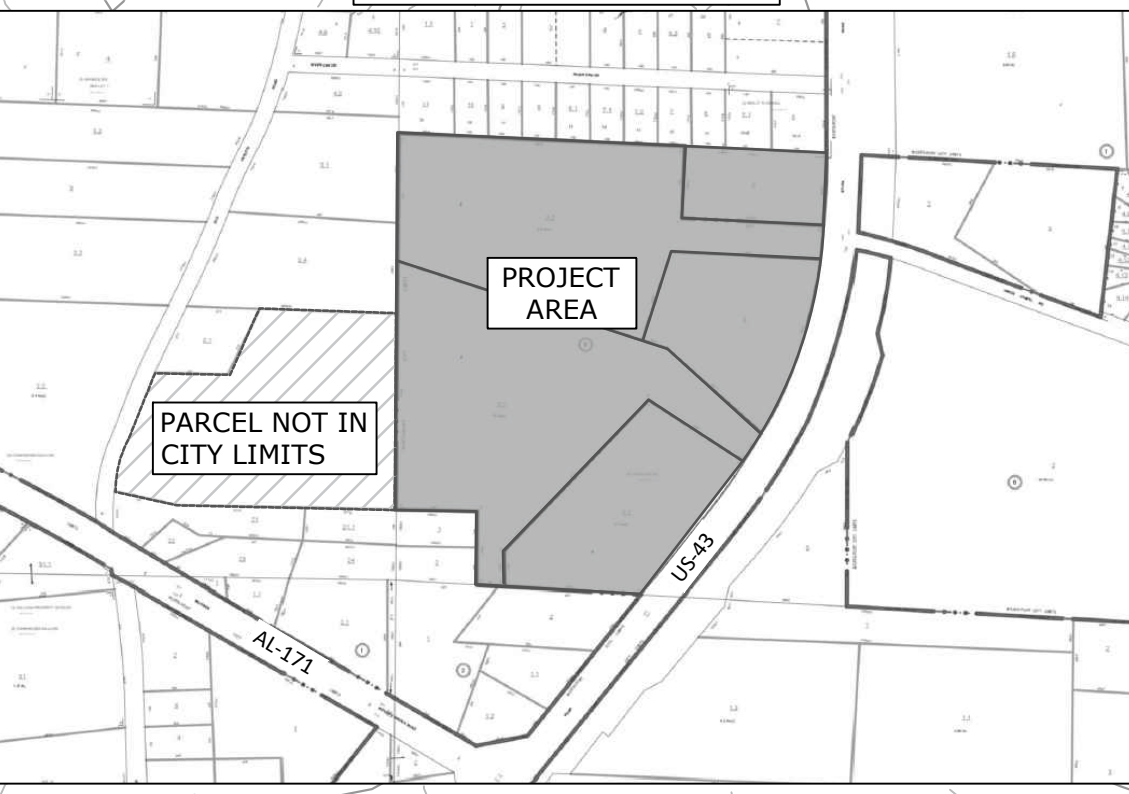
EASEMENT LEGEND

UTILITY

DRAINAGE

INGRESS & EGRESS

VICINITY MAP



PORTER-HIGGINBOTHAM ENGINEERING, INC.

LEGENDS BEND MASTER DEVELOPMENT PLAN

NORTHPORT, ALABAMA

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 10 WEST, TUSCALOOSA COUNTY, ALABAMA

MASTER DEVELOPMENT PLAN

SHEET NO. C1.0

PORTER-HIGGINBOTHAM ENGINEERING, INC.

2009 PAUL W BRYANT DRIVE, SUITE C TUSCALOOSA, AL 35401

bruce@porterhigginbotham.com

O: (205) 860-5198

C: (205) 344-1265

No.	Date	Description

Drawn By: _____

Checked By: _____

Date: _____

Job No.: _____

File Name: 22.052 Site Layout - 103123.dwg

City of Northport Planning Commission

Master Plan

Zoning

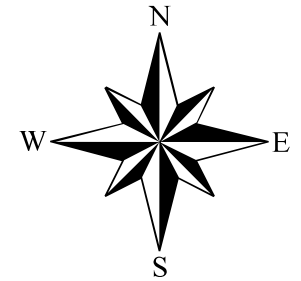
 Agriculture

 General Commercial

 Residential Single-Family - 1

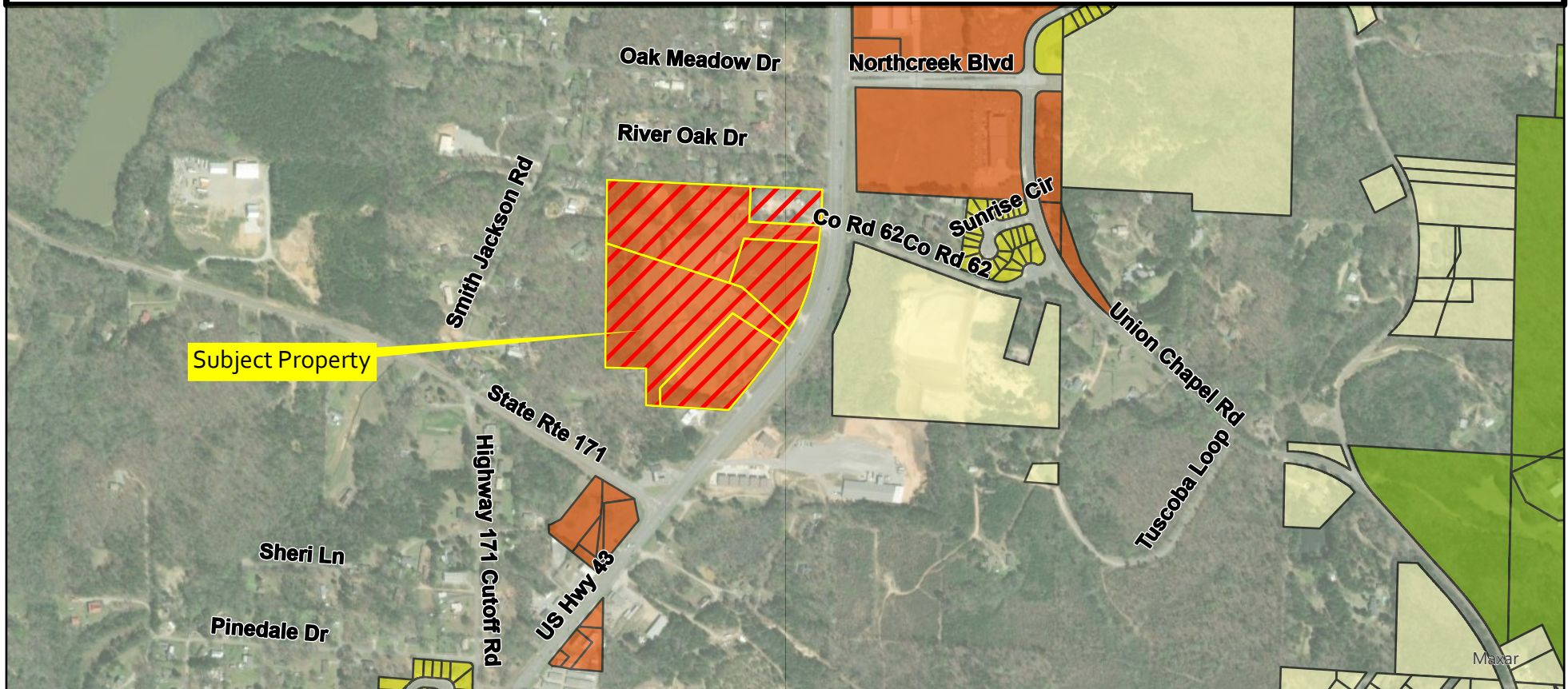
 Residential Single-Family - 4

 Subject Property



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0 500 1,000 2,000
Feet



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

Case: A-12-23
Applicant: Rita Wilson
Request: Annexation

Rita Wilson requests annexation of approximately 8.12 acres located at 13582 Mount Olive Road. The property will be zoned RS-1 Single Family Residential. The property meets the requirements for annexation.

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

PETITION FOR ANNEXATION

Submission Deadline: 12 Noon _____

Hearing Date: 12/12/23

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

	--OFFICIAL USE ONLY--
APPLICANT'S NAME <u>Rita Wilson</u> <u>John Wilson</u>	
ADDRESS <u>3209 33rd Street</u>	CITY ADDRESS ASSIGNMENT
DAYTIME TELEPHONE <u>205-361-6804</u>	ORDINANCE #
EMAIL <u>rwilson19@bellsouth.net</u>	CASE #
	XREF. CASES:
County Address (if any) of subject property	REQUESTED ZONING (if other than RS-1):

Applicant must attach deed(s) covering the entire subject property. All metes and bounds descriptions must be supplied in a compatible electronic format (Microsoft Word).

OWNERSHIP CONFIGURATION: ☒ single parcel/single ownership ☐ multiple parcels/single ownership
☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPT. AND BUREAU OF THE CENSUS.

Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation.

- Is this property your principal residence? ☒ YES ☐ NO (if "yes," answer part B)
 - Applicant's Marital Status: ☒ Now Married ☐ Separated ☐ Divorced ☐ Widowed ☐ Never Married
- Total number of buildings on subject property: 0
☐ Number of houses ☐ Number of manufactured homes ☐ Other:
 - Number of persons living on subject property: 0
 - Of all persons residing on the property, how many are of voting age (18 years or older)? 0
 - Of all persons residing on the property, how many are:
☒ White ☐ Black ☐ Hispanic ☐ Asian or Pacific Islander ☐ American Indian/Eskimo/Aleut ☐ Other
 - Number of children in household: 0 Ages: _____
 - Proposed Use of Property (if any): None

GENERAL DESCRIPTION OF PROPERTY (Include Acreage, Subdivision Name, Lot Number, etc.):

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE: <u>Rita Wilson</u>	DATE: <u>10-24-2023</u>
PRINT NAME: <u>Rita Wilson</u>	

Note: If Applicant is not the current owner of record a "Designation of Agent" form must be completed and submitted with this petition

Received by: Spatten/Williams Date: 10/25/23

(Received Date is considered official date of submission)

Updated 1/10



PETITION FOR ANNEXATION

To The City of Northport, Alabama:

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City of Northport this written petition requesting that our property as described be annexed to the City of Northport, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Ala. 1975.

We further certify that said property is contiguous to the city limits of City of Northport, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the preceding description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by §11-42-21, Code of Ala. 1975. A map and written legal description of said property is hereto attached.

Initials: RN

We, the undersigned, fully understand that the City will provide police and fire protection and, if available, the City **may** provide water and sewer service under our current adopted procedures. **The City makes no commitment to extend water and sewer lines to property that is annexed into the City, or to upgrade drainage or roads by virtue of an annexation. Further, the city is prohibited from improving private property.**

Initials: RN

We understand that if the subject property lies within the territory of a fire district, it is our responsibility to remove the subject property from the fire district and provide written proof from said fire district that they have released the subject property from the fire district before this petition will be processed by the City. **We understand and hereby agree to pay to the City of Northport all costs and attorney's fees which the City may pay in the future to remove this property from any fire district if it is not removed by us prior to this annexation.**

Initials: _____

Furthermore, we certify that we understand fully that, following annexation, **the subject property shall be subject to all laws and codes administered by the City of Northport**, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Northport.

Initials: RN

We do hereby request that the City give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Northport, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 20th day of October, 2023.

Names and Signatures of
ALL property owners:

Signature: Rita Wilson
Print Name: Rita Wilson

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

Map or Survey Attached? _____

Legal Description Attached? _____

Recorded Subdivision Plat Attached? _____ or Metes and Bounds descriptions in electronic format? _____

Any Property which is found to have been divided in violation of the City of Northport subdivision regulations in effect at the time of said division, will be required to be legally subdivided in accordance with the current regulations prior to, or concurrent with, this petition.

Updated 1/10

STATE OF ALABAMA
TUSCALOOSA COUNTY

PARCEL 1

Part of the Southwest Quarter of the Southwest Quarter of Section 13, Township 20 South, Range 11 West, Tuscaloosa County, Alabama, being more particularly described as follows:

Commence at an iron pipe found on the northwest corner of the Southwest Quarter of said Section 13; thence run South 00 degrees, 17 minutes, 53 seconds West, 970.00 feet to a ½ inch capped rebar set; thence run North 88 degrees, 21 minutes, 20 seconds East, 626.91 feet to a ½ inch capped rebar set; thence run South 00 degrees, 21 minutes, 02 seconds West, 826.38 feet to a ½ inch capped rebar set, said point being the Point of Beginning; thence run South 89 degrees, 17 minutes, 08 seconds East, 630.67 feet to a ½ inch capped rebar set on the west right of way margin of Mt. Olive Church Road, an 80 foot wide right of way; thence run South 28 degrees, 15 minutes, 54 seconds West, along said right of way margin 314.35 feet to a ½ inch capped rebar set; thence run North 72 degrees, 14 minutes, 45 seconds West, 201.24 feet to a ½ inch capped rebar set; thence run North 53 degrees, 04 minutes, 38 seconds West, 86.68 feet to a ½ inch capped rebar set; thence run South 75 degrees, 32 minutes, 17 minutes West, 235.72 feet to a ½ inch capped rebar set; thence run North 19 degrees, 27 minutes, 54 seconds East, 18.41 feet to a ½ inch capped rebar set; thence run North 00 degrees, 21 minutes, 02 seconds East, 212.81 feet to the Point of Beginning.

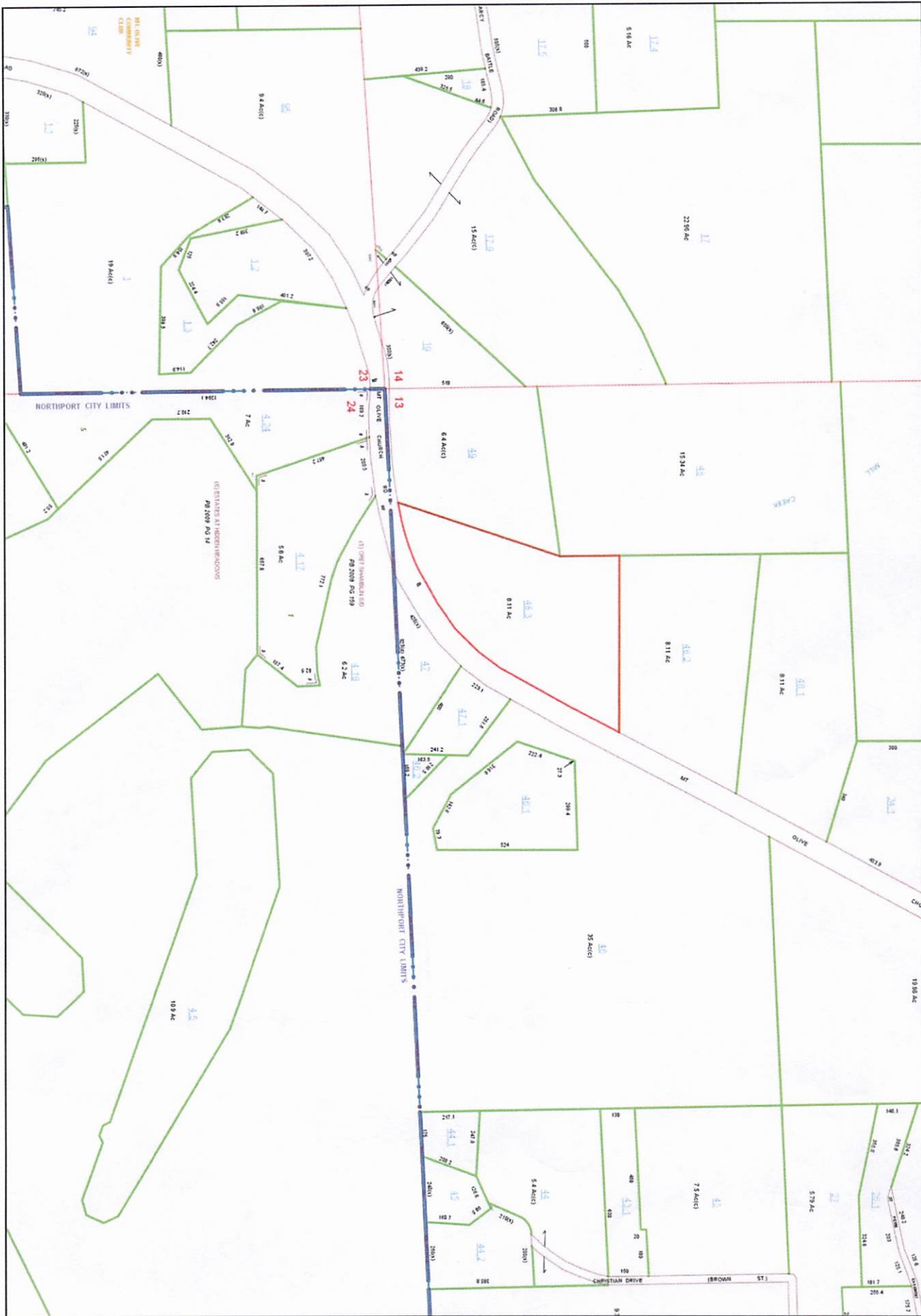
Said Parcel 1 containing 2.89 acres, more or less.

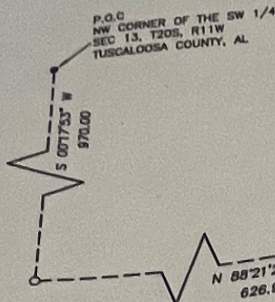
PARCEL 2

Part of the Southwest Quarter of the Southwest Quarter of Section 13, Township 20 South, Range 11 West, Tuscaloosa County, Alabama, being more particularly described as follows:

Commence at an iron pipe found on the northwest corner of the Southwest Quarter of said Section 13; thence run South 00 degrees, 17 minutes, 53 seconds West, 970.00 feet to a ½ inch capped rebar set; thence run North 88 degrees, 21 minutes, 20 seconds East, 626.91 feet to a ½ inch capped rebar set; thence run South 00 degrees, 21 minutes, 02 seconds West, 826.38 feet to a ½ inch capped rebar set; thence run South 89 degrees, 17 minutes, 08 seconds East, 630.67 feet to a ½ inch capped rebar set on the west right of way margin of Mt. Olive Church Road, an 80 foot wide right of way; thence run South 28 degrees, 15 minutes, 54 seconds West, along said right of way margin 314.35 feet to a ½ inch capped rebar set, said point being the Point of Beginning; thence run South 28 degrees, 15 minutes, 54 seconds West, along said right of way margin 57.00 feet to a concrete monument found; thence run southwestwardly and along said right of way margin, said right of way curving to the right, having a radius of 915.37 feet, a chord bearing of South 54 degrees, 40 minutes, 14 seconds West, for a chord distance of 816.46 feet to a ½ inch capped rebar set; thence run North 19 degrees, 27 minutes, 54 seconds East, 611.88 feet to a ½ inch capped rebar set; thence run North 75 degrees, 32 minutes, 17 seconds East, 235.72 feet to a ½ inch capped rebar set; thence run South 53 degrees, 04 minutes, 38 minutes East, 86.68 feet to a ½ inch capped rebar set; thence run South 72 degrees, 14 minutes, 45 seconds East, 201.24 feet to the Point of Beginning.

Said Parcel 2 containing 5.23 acres, more or less.





P.O.B.
PARCEL 1

DB: 2000
PG: 18263

DB: 2000
PG: 18267

PARCEL 1
2.89 AC+/-

P.O.B.
PARCEL 2

PARCEL 2
5.23 AC+/-

DB: 650
PG: 410

$\Delta = 52^{\circ}58'16''$
 $R = 915.37$
 $L = 846.28$
 $CH = 816.46$
 $CB = S 54^{\circ}40'14'' W$

ML OLIVE CHURCH ROAD (80 ROW)

City of Northport Planning Commission

Annexation

Zoning

 Agriculture

 General Commercial

 Neighborhood Commercial

 Office and Institutional

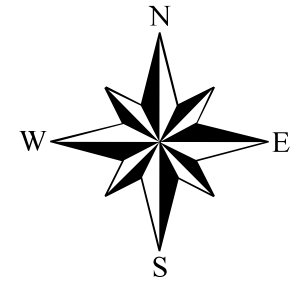
 Residential Single-Family - 1

 Residential Single-Family - 2

 Residential Single-Family - 4

 Residential Single-Family - SD

 Subject Property



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.

0 2,000 4,000 8,000 Feet

