

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, DECEMBER 12, 2023**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, December 12, 2023, in the Municipal Court Room at the Northport Public Safety Building.

The meeting was called to order by Chairman Kevin Turner. Upon roll call the following members were found to be present: Mr. David Kemp, Mr. Timothy Martin, Mr. Clay Randolph, Mr. Kevin Turner, Mr. Karl Wiggins, Mr. Jason Ward. Absent and failing to vote were Mrs. Tracy Kelly, Mrs. Jennifer Hayes, and Mr. Roland Lewis. 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.

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

Approval of Agenda – Motion by Mr. Turner to approve the December 12, 2023, agenda. **Second by Mr. Wiggins.** 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 November 9, 2023. **Second by Mr. Kemp.** Voiced roll call was given. **Motion Carried.**

Approval of the Minutes – Motion by Mr. Martin to approve the minutes from the regular minutes on November 14, 2023. **Second by Mr. Wiggins.** 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.

Old Business

New Business

- a. **S-29-23 Rehearing The Terrace at Northcreek Master Plan Revision – Brasher Holdings, LLC is requesting a revision to the Master Plan for approximately 72.22 acres for Phases II-V located at the east dead end of Northcreek Boulevard.**

Mrs. Ramm stated that Brasher Holdings, LLC has requested a rehearing for the revision to the Master Plan for The Terrace at Northcreek. She stated that the commission previously made a favorable recommendation to the City Council for RS-SD zoning at the October 2023 meeting. However, the associated master plan did not receive approval. Mrs. Ramm stated that a master plan is required prior to the development of an RS-SD zoned

property. She stated that the proposed development is compatible with the adjacent phase of The Terrace at Northcreek. Mrs. Ramm stated that because this request has come within one year of the original hearing, the applicant must demonstrate to the Commission there has been a substantial change in the master plan approval request and, by a vote of the Commission, five members must concur to rehear the rezoning requests.

Mr. Turner read the By-laws on the rules for rehearing to the board.

Chairman Turner asked the Commission if they had any questions.

Mr. Wiggins asked about the rezoning of RS-SD for this development being approved without a master plan approval. Mrs. Ramm stated changes are going to be made in the future with the zoning re-write and the rezoning was only recommended but has not been approved by Council.

Chip Brasher, 3215 Dogwood Drive, stated that they are requesting that this case be continued until January. He stated we have added the parks, amenities, and places to use for open space on the proposed master plan revision. Mr. Brasher stated they are trying to be thoughtful in requiring all homes to have brick siding. He stated that they have fixed the previous issues with block length and would be willing to develop the amenities to phase II, if needed.

Mr. Ward asked what type of appetite was coming from the builder's side. Mr. Brasher stated that the builders want to be here. He stated that the lot size helps and there is plenty of appetite, but builders are aggressive right now and we do not know if this will change as time passes. He stated that building rooftops will allow for more commercial properties to be developed in this area.

Mr. Turner stated we are all for rooftops coming to Northport but how it's presented looks like how many houses can we fit in one space.

Chairman Turner opened the floor for a public hearing.

With no one to appear, Chairman Turner closed the public hearing.

Motion by Mr. Turner to continue S-29-23 Rehearing Master Plan of The Terrace at Northcreek until the January meeting. **Seconded by Mr. Wiggins.** Roll call as follows. Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Kemp – Yes; Mr. Martin – Yes; Mr. Randolph – Yes; and Mr. Ward – Yes. **Motion Carried.**

CITIZEN COMMUNICATIONS

DISCUSSION

a. Review of the Planning Commission By-laws

Mrs. Ramm stated that the Commission needed to review the by-laws for any changes and a vote will be made in the 2024 year to adopt.

Mr. Turner stated that he had some proposed updates:

- Article 4.C with changes made to the deadline of a rehearing from 12 months to 6 months and only be allowed to submit a rehearing one time in 6 months.
- Add an expiration time frame on recommendation to expire after 90-days of the Commission's decision, if it exceeds the 90 days, add a clause that the petitioner can provide a written document from government entity regarding an extension for 30-day extension. Mr. Wiggins and Mrs. Ramm both stated that this may be too tight of a timeframe. The Commission agreed on 180 days with the 30-day extension.
- Add language on modification of application when the PZC is the recommending body. Any modification made by a petitioner to any application, outside of those recommended by the Commission, shall be announced at the time the matter is presented to the City Council. Mrs. Ramm stated that if there were a substantial change, we would run them back through the Planning and Zoning Commission for approval or recommendation.

Mr. Wiggins asked if there was a way to put a limit on the number of meetings a Commission member misses and report on it. Mr. Cunningham stated that the Commission does not have the authority to remove members, only the appointing body does.

b. Election of Chair & Vice-Chairman

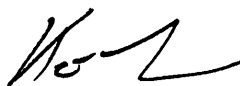
Chairman:

Motion by Mr. Randolph to nominate Mr. Kevin Turner for the Chairman of the Planning and Zoning Board for the 2024 year. **Seconded by Mr. Ward.** Voice roll call was given. **Motion Carried.**

Vice-Chairman:

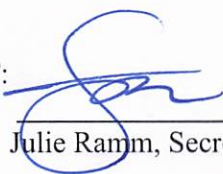
Motion by Mr. Wiggins to nominate Mr. Clay Randolph for the Vice-Chairman of the Planning and Zoning Board of 2024 year. **Seconded by Mr. Turner.** Voice roll call was given. **Motion Carried.**

ADJOURNMENT – Motion by Mr. Wiggins to adjourn the December 12, 2024, meeting. **Seconded by Mr. Martin.**



Kevin Turner, Chairman

ATTEST:



Julie Ramm, Secretary