OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 14, 2023

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, November 14, 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. Timothy Martin, Mr. Clay Randolph, Mr. Kevin Turner, and Mr. Karl Wiggins. Absent and failing to vote was Mrs. Jennifer Hayes and Mr. Jason Ward. 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 November 14, 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 October 10, 2023. **Second by Mr. Kemp.** 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.

Old Business

New Business

a. **S-27-23 Cicalla Division** – Michael J. Cicalla requests preliminary plat approval of approximately 2.59 acres located on the east side of Countryside Drive.

Mrs. Ramm stated that Michael Cicalla has requested preliminary plat approval for approximately 2.59 acres located east of Countryside Drive. She stated that the plat consists of two lots and is not located within the city limits. However, it is located within the City's Planning Jurisdiction. She stated that the City has received a letter from the Tuscaloosa County Engineer that states they will not require half street improvements and sidewalks along Countryside Dive, the County maintains the right of way.

Jamie Autery, 1470 Northbank Parkway, represented Mr. Cicalla and stated that this is more land than Mr. Cicalla would like to maintain now, and he would like to separate this into two separate lots for another residential home.

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 approve the preliminary plat for approximately 2.59 acres located on the east side of Countryside Drive. **Seconded by Mr. Wiggins.** Roll call as follows: Mr. Turner – Yes; Mr. Wiggins – Yes; Mr Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Martin – Yes; and Mr. Randolph – Yes. **Motion Carried.**

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.

Mrs. Ramm stated that Saroni Real Estate, LLC requests approval of a master plan for Legends Bend Subdivision. She stated the total acreage of the master plan is 32.05 acres and the property is located west of Highway 43 and south of River Oak Drive. Mrs. Ramm stated the proposal to develop this property is to be done in three phases. The proposed uses include an assisted living facility, nursing home, medical offices, restaurant, and shopping center. Mrs. Ramm stated this property will also only have access from Highway 43. She stated that typically waivers are addressed at the preliminary plat submittal, however, the layout of required stub streets does not appear to meet the subdivision regulations. She stated approval of the proposed master plan would likely require approval of a waiver of stub streets at the preliminary plat level.

Mr. Turner asked with this being a master plan we will be approving this in individual phases in the future. Mrs. Ramm stated yes.

Mr. Turner asked the Commission if they had any comments.

Mr. Wiggins asked if this property was all within the city's limits. Mrs. Ramm stated that the property is in the city's limits and is zoned C-3 (General Commercial). She stated that there was additional property that was purchased that is not included in the master plan and the subdivision regulations do require that all the property that is owned or controlled by the developer be included in the master plan. She stated that if you approve this item it will need to be done as a waiver.

Mr. Turner asked if that would be part of the master plan approval. Mrs. Ramm stated yes.

Bruce Higginbotham, 2009 Paul Bryant Drive, representing Saroni Real Estate, LLC, stated that Legends is a development that will be centered around assisted living care facilities. He stated that Phase I of the development will be considered SCALP care, which is full assistant care, and Phase II being another assisting living that does not require full care and they have more independence. Mr. Higginbotham stated the idea of this development is that the shops, doctor's offices, and restaurants will benefit this community and will also be available to the public. Mr. Higginbotham states that they have already landed on an access with a traffic study done with ALDOT and had group discussion with West Alabama Region who is on board at this time. He stated that this development does sit within the Tuscaloosa MPO Bicycle. He stated that the widening of Highway 43 and the additional turn lane, we will be including a bicycle lane.

Mr. Wiggins asked if this assisting living facility will be taking the place of an existing facility. Mr. Higginbotham stated no.

Mr. Turner asked about the additional information on not including the additional lot. Mr. Higginbotham stated that the thought process with purchasing the additional lot was in case it was needed for the back portion of the development's property. He stated that the back portion of this property is steep and it may be needed to sloped this property but as of this time we have no plans on using it. He stated that the property itself fronts an existing road that accesses Highway 171. Mr. Turner asked if there would be access. Mr. Higginbotham stated no.

Mr. Turner asked if the facility itself would be lots 11 & 12 or just lot 11. Mr. Higginbotham stated that lot 11 will be used for the SCALP care assisting living facility and lot 12 is entirely graded to make this lot work. Mr. Turner asked if the open space will be platted as open space and stay as a buffer. Mr. Higginbotham stated yes it would be extremely complicated to develop that property. He stated that the assisted living that is more independent will be located on lots 3 and 4. Mr. Turner asked for clarification on lot 1 that is labelled additional parking and detention, will the detention pond be a separation lot that would be a dedicated open space and maintained by an association. Mr. Higginbotham states that yes, lot 1 would be an entire lot that will be maintained by an association for detention.

Mr. Randolph asked if Mr. Higginbotham could describe the connection on the streets could be explained, is it parking or private streets. Mr. Higginbotham stated yes, it is both parking and private streets. He stated that doing it this way limits the responsibility for the city and as we go through the developments this allows parking between the developments and connectivity and it will be privately owned by the association. Mr. Matthews stated that the public streets are handled by private entities and would keep the city from having to be maintained. Mr. Higginbotham stated as our preliminary plats come through you will see private drives and parking.

Mr. Turner asked if there were any buffering requirements. Mrs. Ramm stated yes and landscaping requirements.

Chairman Turner opened the floor for a public hearing.

Jeff Busby, 6411 Smith Jackson Road, asked if they are planning to cut down the land or plan to leave it the same. He stated that there was a landslide here previously and is wondering if there are plans on a retaining wall. He asked about the new property purchased and what the future where. He stated he only asked about these things to protect his property from any type of washing or sliding for the future.

Mr. Turner stated that construction plans will have to be submitted and approved before any work can be done.

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

Mr. Higginbothom addressed the concerns and stated that there are no plans in place for the new property that was purchased and will not be doing anything grade wise about this. He stated we want to do whatever we can to make this property safer than it is today. He stated that they are looking into doing a 3-1 sloping for the backside of the property and are trying to step everything down.

Mr. Turner asked about the intent for lot 12 on the development and disturbing and not building on it. Mr. Higginbothom stated that no, they want to use it to entirely to clear up the slope.

Mr. Kemp asked if they would be addressing the dirt wall in the first phase. Mr. Higginbotham stated yes, it will have to be done.

Mr. Higginbotham stated yes, the first phase we will be addressing the detention and storm drainage along with the sloping of the wall.

Mr. Wiggins asked if they will be reducing the lower level of development on the property. Mr. Higginbotham stated it will be higher than Highway 43 and you will go up into the development.

Mr. Jeff Busby asked how far they are going in on this property on the first phase on the drop. Mr. Higginbotham and his staff stated it will be 400 feet elevation drop from your property of grass and trees from your property.

Motion by Mr. Turner to approve the master plan for approximately 32.05 acres located west of Highway 43 and south of River Oak Drive to include the waiver of all controlled acreage. **Seconded by Mr. Wiggins.** Roll call was as follows: Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Martin – Yes; and Mr. Randolph – Yes. **Motion Carried.**

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).

Mrs. Ramm stated that Rita Wilson has requested annexation of approximately 8.12 acres located at 13582 Mount Olive Road. She stated that this property will be zoned RS-1 Single Family Residential and does meet the requirements for annexation.

Mr. Wiggins asked if there was an existing structure, building permit, city service or a single-family residence at this location. Mrs. Ramm stated that they have applied for a building permit that has not been issued yet and are looking to annex it for city services.

Rita Wilson, 3209 33rd Street, stated that the reason for this annexation request is they are building a new home here and are needing city services. She stated part of her land is annexed in to Northport but needs to annex all of her land.

Chairman Turner opened the floor for a public hearing.

Jimmy Bonner, 13581 Mount Olive Road, asked if garbage pickup and sewer would be available here in the future. Mr. Turner stated he was not sure of the future infrastructure plans for this area. Mr. Matthews stated that we provide these services to the golf course and that is far as this service goes on the sewer lines.

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

Motion by Mr. Turner to make a favorable recommendation to City Council for the annexation of approximately 8.12 acres located at 13582 Mount Olive Road with the original zoning of RS-1 (Single – Family Residential). **Seconded by Mr. Lewis.** Roll call was as follows: Mr. Turner – Yes; Mr. Lewis – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Martin – Yes; Mr. Randolph – Yes; and Mr. Wiggins – Yes. **Motion Carried.**

CITIZEN COMMUNICATIONS

DISCUSSION

Mrs. Julie Ramm stated that we will hold a public hearing for the Comprehensive Plan on November 27, 2023, and there will be no action taken. She stated that there are tentatively plans for a work session for December 7, 2023, at Fire Station 2. Mrs. Ramm stated once the December 7th session is confirmed she will let the Commission know.

Mrs. Ramm also reminded the Commission that at the December meeting we will need to vote on a new Chairman and Vice Chairman.

Mrs. Ramm stated that the December 12, 2023, meeting will be held in the Municipal Court Room at the City of Northport's Public Safety Building at the same time.

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

Kevin Turner, Chairman

ATTEST:

Julie Ramm, Secretary