

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 11, 2025**

The Planning and Zoning Commission met in a regular session at 6:03 p.m. on Tuesday, February 11, 2025, in the City 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: Mrs. Jennifer Hayes, Mr. David Kemp, Mrs. Tracey Kelly, Mr. Roland Lewis, Mr. Kevin Turner, and Mr. Karl Wiggins. Absent and failed to vote: Mr. Clay Randolph, Mr. Jason Ward, and Mr. Timothy Martin. Staff present were Mrs. Julie Ramm, Planning Director, Mr. Ron Davis, City Attorney, Mr. Shaun Patten, Zoning Administrator, Mr. Brad Matthews, Assistant City Engineer, Ms. Meredith Mullins, Planner, Mrs. Katelyn Lesley, Administrative Assistant.

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 the Minutes of Previous Meeting(s) –

Motion by Mr. Kemp to approve the minutes of the regular meeting minutes for January 14, 2025. **Seconded by Mr. Wiggins.** Voice vote was given. **Motion Carried.**

Verification of No Conflict of Interest – None

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

Disclosure of Ex Parte Communication – None

Old Business

- A. **S-1-25 The Townes at Vestavia** – Cabaniss Engineering requests preliminary plat approval for approximately 4.65 acres located west of Applejack Boulevard and south of Vestavia Hills.

Mrs. Ramm stated that Cabaniss Engineering is requesting preliminary plat approval for approximately 4.65 acres located on the west side of Applejack Boulevard and south of Vestavia Hills. The current site consists of an undeveloped lot that is zoned Residential Multifamily (RM). The applicant is proposing to develop 21 townhome units across 4 buildings on the property. The applicant is requesting sidewalk and half-street improvement waivers. The property is surrounded by an office development zoned General Commercial (C-3) to the south, undeveloped land zoned Highway Commercial (C-6) to the west, a single-family detached neighborhood zoned Residential Single-Family (RS-1) to the north, and by undeveloped land zoned General Commercial (C-3) to the east. The future land use plan within Northport Compass shows this area as “Low

Density Residential". While the proposed use does not align with the comprehensive plan, the property is zoned as Residential Multifamily which permits this use by right.

Mr. Matthews stated that the waiver request regarding sidewalk and half-street improvements, the adjacent area does not have any sidewalks to connect to. He also stated that there is curb and gutter as an improvement because of Vestavia subdivision on the adjacent segment of roadway, they would extend that partially through their driveway and the applicant is not proposing extending it south because of the floodway that is on that portion.

Al Cabaniss, Cabaniss Engineering, 600 Lurleen B Wallace South, spoke at the podium. He stated that they are requesting a townhome development with individual lots. He stated that in regard to the half-street improvement requirement, one of the photos of Applejack Boulevard, there is a very little shoulder, they would need to add about two foot of paving and two feet of curb and gutter. They are going to extend the curb south about 60-70' to accommodate the entrance, they will be cleaning up a drainage issue that is at the entrance. He stated that on the north line if you are looking at the topography and thinking about the homes on the south side of the proposed street, they cannot do much fill there because he cannot get into the floodway. He also stated on the North side of the property that he will be putting a landscape buffer and a retaining wall, their ultimate goal is to keep as much natural landscaping as possible. He also stated that the townhome area will have a playground, walking trails, grills, firepits, and pavilions.

Mr. Turner asked Mr. Cabaniss about the floodway and what guarantees throughout construction that you have to not get into the floodway. Mr. Cabaniss stated that he will have to be cognizant of the elevations and the erosion control plan will have to identify the floodway. He stated that his finished floors will be quite a bit lower than the finished floors in the homes at Vestavia, due to the grading plan. Mr. Turner asked Mr. Cabaniss if any of the property was in the wetlands. Mr. Cabaniss stated that he has not had an evaluation yet but he is positive some of it is in the wetlands.

Chairman Turner opened the floor for a public hearing.

Patrick Franklin, 1001 Emerald Way, spoke at the podium. He stated that he was concerned about the sound buffer between Vestavia and Highway 82. He also stated he is concerned about the traffic.

Duncan Matthews, 3700 Blackberry Lane, spoke at the podium. He stated that he was concerned about the sound buffer between Vestavia and Highway 82.

Laura and Dustin Thompson, 3712 Blackberry Lane, spoke at the podium. Mrs. Thompson stated that they are concerned about privacy and property values.

Mr. Turner stated that we did have several written correspondences from various residents expressing their concerns.

Chairman Turner closed the floor for a public hearing.

Mr. Turner stated that this body's authority for this particular request, this property is zoned Residential Multifamily and has been zoned that since at least 1996, we are not voting to change the zoning. He also stated that if they were going to be building one standalone apartment building it would not have to be sent before Planning Commission and the zoning will stay the same. He also stated that the Planning Commission has no say so in clearing the property. Mr. Turner asked Mr. Cabaniss to come up to the podium to address the buffer

between Vestavia and Highway 82, traffic, and wetlands. Mr. Cabaniss spoke at the podium. He stated that the traffic should not change with it being 21 homes. The sound buffer is staying, because he cannot shift anything further to the north. The floodway is established and what they can and cannot do is established, once they develop a land development plan, the trees become a part of the development. They will be completely staying out of the floodway. Mr. Wiggins asked Mr. Cabaniss if he knew the distance between the south end to Highway 82. Mr. Cabaniss stated that he did not know the exact distance. Mr. Turner stated that Mr. Cabaniss made a good point earlier regarding the wetlands, that is something that Mr. Cabaniss has to get addressed and mitigated before they can turn plans in. Mr. Cabaniss stated that getting the preliminary plat approved gives them the confidence to proceed with the architectural plans and engineering design, part of this will be the wetlands delineation.

Mr. Turner stated that he can't help but agree on the sidewalk and half street improvements because it goes hand in hand, saying you have to do sidewalks but then you cannot do anything with the flood plain.

Motion by Mr. Turner to approve the preliminary plat with waivers of Sidewalks and Half-Street Improvements for approximately 4.65 acres located west of Applejack Boulevard and south of Vestavia Hills. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Mrs. Hayes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Wiggins - Yes. **Motion Carried.**

New Business

- A. **S-25-2 Hang10 Car Wash** – CESO, Inc. requests preliminary plat approval for approximately 1.27 acres for the property located at 3800 McFarland Boulevard.

Mrs. Ramm stated that CESO, Inc. is requesting preliminary plat approval for approximately 1.27 acres located at 3800 McFarland Boulevard. The current site consists of a vacant gas station and carwash across parts of 6 lots. Since development is proposed, the zoning ordinance requires that the property be combined into one lot. The proposed use is a carwash, which is permitted by right in this zoning district (Highway Commercial – C6). The applicant is not requesting any waivers with this plat. The property is surrounded by a fast-food restaurant zoned Highway Commercial (C-6) to the west, undeveloped land zoned Highway Commercial (C-6) to the north, City Hall zoned Highway Commercial (C-6) to the east across Highway 43, and a shopping center zoned Highway Commercial (C-6) to the south across Highway 82. The future land use plan within Northport Compass shows this area as “Commercial Mix”. The proposed use does not conflict with the comprehensive plan.

Mr. Turner asked if this is a lot consolidation. Mrs. Ramm stated that was correct and that no waivers are being requested.

Ryan Bell, Operations Manager at Hang10 Carwash, spoke at the podium. He stated they are wanting to consolidate six lots into one lot to build a car wash, they are not requesting any waivers.

Chairman Turner opened the floor for a public hearing.

With no one to appear before the commission, Chairman Turner closed the floor for a public hearing.

Motion by Mr. Turner to approve the preliminary plat for approximately 1.27 acres for the property located at 3800 McFarland Boulevard. **Seconded by Mr. Wiggins.** Roll call was as follows: Mr. Turner – Yes; Mr. Wiggins– Yes; Mrs. Hayes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes. **Motion Carried.**

- B. **S-25-3 Resurvey of Lots 59 & 60 Buckhead** – Herndon, Hicks, and Associates request preliminary plat approval for approximately 0.95 acres for the property located at 6305 Buckhead Drive and 3210 Bermuda Drive.

Mrs. Ramm stated that Herndon, Hicks and Associates is requesting preliminary plat approval for approximately 0.95 acres located at 6305 Buckhead Drive and 3210 Bermuda Drive. The current site consists of single-family detached housing. The request does not involve the creation of any new lots; it is only a request to move a shared property line. The applicant is requesting sidewalk and R.O.W. dedication improvement waivers with this plat. This property is surrounded on all sides by single-family detached residential housing zoned Residential Single-Family (RS-1). The future land use plan within Northport Compass shows this area as "Medium Density Residential". The proposed use does not conflict with the comprehensive plan.

Mr. Turner asked Mr. Matthews if there were any issues from an engineering standpoint. Mr. Matthews stated that there were no issues with the request.

Bobby Herndon, Herndon Hicks and Associates, 2728 Lurleen B Wallace Boulevard, spoke at the podium. He stated that they are trying to reconfigure two side-by-side lots. There has been a fence that the neighbors have claimed as the property line for many years. They are asking for the sidewalk and R.O.W. Waivers.

Chairman Turner opened the floor for a public hearing.

With no one to appear before the commission, Chairman Turner closed the floor for a public hearing.

Motion by Mr. Turner to approve the preliminary plat with waiver of Sidewalk and Right of Way Dedication for approximately 0.95 acres for the property located at 6305 Buckhead Drive and 3210 Bermuda Drive.

Seconded by Mr. Wiggins. Roll call was as follows: Mr. Turner – Yes; Mr. Wiggins– Yes; Mrs. Hayes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes. **Motion Carried.**

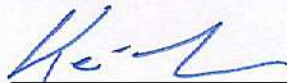
COMMITTEE REPORTS

OTHER AND MISCELLANEOUS BUSINESS

- A. Mrs. Ramm stated that she has some dates for the training and she will be sending the dates out in a Doodle poll to Planning Commission and Zoning Board.

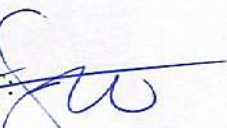
ADJOURNMENT – **Motion by Mr. Lewis. Seconded by Mr. Turner**

Meeting was adjourned at 6:43pm.



Kevin Turner, Chairman

ATTEST:


Julie Ramm, Secretary