

**AGENDA
NORTHPORT PLANNING AND ZONING COMMISSION
TUESDAY, MAY 13, 2025**

- 1. CALL TO ORDER (INCLUDING INVOCATION)**
- 2. ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- 3. INTRODUCTIONS AND MEETING PROCEDURES**
- 4. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)**
 - A. April 8, 2025
- 5. VERIFICATION OF NO CONFLICT OF INTEREST**
- 6. VERIFICATION OF PROPER NOTIFICATION**
- 7. DISCLOSURE OF EX PARTE COMMUNICATION**
- 8. OLD BUSINESS**
 - A. **A-25-1 The Cove at Northcreek** - Longleaf Engineering requests annexation of approximately 1.28 acres located on the south side of Old Union Chapel Road.
 - B. **R-25-2 The Cove at Northcreek** -Longleaf Engineering requests rezoning with Special District Plan approval of approximately 26.3 acres from Residential Single-Family (RS-1) to Special District (SD) for the property located on the south side of Old Union Chapel Road.
 - C. **A-25-3 Magnolia Hills West** - Longleaf Engineering is requesting annexation with original zoning designation of Residential Single-Family (RS-1) for approximately 28.6 acres located south of the Northwood Estates subdivision and West of the Magnolia Hills subdivision. **APPLICANT HAS REQUESTED TO CONTINUE TO JUNE MEETING. ACTION NEEDED.**
 - D. **R-25-4 Magnolia Hills West** - Longleaf Engineering requests rezoning with Special District Plan approval of approximately 48.9 acres from Residential Single-Family (RS-1) to Special District (SD) for the property located south of the Northwood Estates subdivision and West of the Magnolia Hills subdivision. **APPLICANT HAS REQUESTED TO CONTINUE TO JUNE MEETING. ACTION NEEDED.**
 - E. **S-25-5 Harper Road Condominiums** - Sentell Engineering is requesting preliminary plat approval for approximately 3.51 acres for the property located at 5610 Oak Park Circle.
- 9. NEW BUSINESS, INCLUDING ANY PUBLIC HEARING REQUIRED WITH EACH AGENDA ITEM**

- A. **S-25-8 Phifer UCR Subdivision** - Duncan Coker and Associates request preliminary plat approval for approximately 11.8 acres for the property located at 1020 Union Chapel Road.
- B. **SP-25-1 Rapid Results Supreme, LLC** - Rapid Results Supreme, LLC requests conditional use approval for a gym in a Light Industrial (M-1) zone for the property located at 1017 Martin Luther King Jr. Boulevard.
- C. **S-25-9 Terrace at Northcreek, Phase III** - Longleaf Engineering is requesting preliminary plat approval of approximately 21.86 acres located at the east dead end of Northcreek Boulevard.
- D. **S-25-10 University Beach, LLC** - University Beach is requesting preliminary plat approval of approximately 76.20 acres located north of McFarland Boulevard and east of Harper Road. **APPLICANT HAS REQUESTED TO CONTINUE TO JUNE MEETING. NO ACTION NEEDED.**

10. COMMITTEE REPORTS

11. OTHER AND MISCELLANEOUS BUSINESS

- A. **City of Northport Subdivision Regulations** - Public Hearing

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.



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**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 8, 2025**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, April 8, 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: Mr. Brian Chandler, Mr. David Kemp, Mr. Roland Lewis, Mr. Clay Randolph, Mr. Kevin Turner and Mr. Karl Wiggins. Absent and failed to vote: Mrs. Tracey Kelly, Mr. Timothy Martin, and Mr. Jason Ward. Staff present were Mrs. Julie Ramm, Planning Director, Mr. Ron Davis, City Attorney, Mrs. Kimberly King, Assistant 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. Wiggins to approve the minutes of the regular meeting minutes for March 11, 2025. **Seconded by Mr. Lewis.** 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-25-5 Harper Road Condominiums**– Sentell Engineering is requesting preliminary plat approval for approximately 3.51 acres for the property located at 5610 Oak Park Circle.

Mrs. Ramm stated that Sentell Engineering is requesting preliminary plat approval for approximately 3.51 acres located at 5610 Oak Park Circle. The current site consists of an undeveloped lot that is zoned Residential Multifamily (RM). The applicant is proposing a 35-lot townhome development. The applicant is requesting Right-of-way dedication. The required waiver not shown is Stub Street requirements. The property is surrounded by retail developments zoning Commercial Highway (C-6) to the south and east, a single-family detached neighborhood zoned Residential Single-Family (RS-1) and an undeveloped parcel that is not in the City limits but is in the planning jurisdiction to the north, and by a single family detached residence on a parcel not in the City limits but in the planning jurisdiction to the west. The future land use plan within Northport Compass shows this area as “Limited Mixed-Use”. The property is currently zoned as Residential Multifamily, which permits this use by right.

Mr. Matthews stated that he was incorrect when he stated that 60' is the standard for collector, it is 80'. They are proposing to dedicate additional Right-of-Way, the current R.O.W. is 40' and they would be dedicating to a total of 60'. That does accommodate the sidewalks that are proposed. The stub street is a waiver they are requesting because townhomes have to be built from private streets. Mr. Matthews also stated that minimum driveway spacing is 300', which includes the adjacent driveway to the south. They are proposing 250' between their entrances. Mr. Matthews also stated that public sanitary sewers are required, they are not on the plat, but they would have to meet standards.

Mr. Randolph asked Mr. Matthews if the existing R.O.W. is 40' proposed is 50', they are dedicating 5' on either side. Mr. Matthews clarified that they are requesting 60' total so they would dedicate 10' on their side.

Mr. Turner asked Mr. Matthews what his opinions were on getting the full width of R.O.W. as far as future projects. Mr. Matthews stated that the only reason would be if there is a street widening project was ever performed, there is nothing in the comprehensive plan that would reflect that, however, there is a lot of development proposed in this area.

Chris Sentell, Sentell Engineering, spoke at the podium. He stated that they will be glad to do public sewer and will do the sewer impact study, we would require. As far as the double entrance goes, they are willing to do a traffic study. They are proposing 35 townhome lots, for sale not rent. They will be glad to dedicate the R.O.W.

Mr. Turner asked on the driveway spacing, if we had to come up with some solution to meet fire code, as far as being evaluated. Mr. Sentell stated that we could make it contingent on the traffic study. Mr. Turner stated that there is a lot of clean-up that needs to be done and questions that need to be answered.

Mr. Wiggins asked Mr. Sentell if there was an open space at the top of the plat. Mr. Sentell confirmed to the north was an open space and where they are doing the storm water detention. Mr. Wiggins asked if there was an issue with the distance between the entrances, could there be an entrance from the north? Mr. Sentell confirmed they could do that, they would just have to redesign the storm detention.

Mr. Sentell requested a continuance to the May meeting.

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.

Mrs. Ramm stated this will serve as public notice for the May meeting.

Motion by Mr. Turner to continue the preliminary plat for 3.51 acres for the property located at 5610 Oak Park Circle. **Seconded by Mr. Lewis.** Voice vote was given. **Motion Carried.**

B. A-25-1 The Cove at Northcreek – Longleaf Engineering requests annexation of approximately 1.28 acres located on the south side of Old Union Chapel Road. **APPLICANT REQUESTED TO CONTINUE UNTIL MAY. NO ACTION NEEDED.**

C. R-25-2 The Cove at Northcreek – Longleaf Engineering requests rezoning of approximately 26.3 acres from Residential Single-Family (RS-1) to Special District (SD) for the property located on the south side

of Old Union Chapel Road. **APPLICANT REQUESTED TO CONTINUE UNTIL MAY. NO ACTION NEEDED.**

New Business

- A. **A-25-3 Magnolia Hills West** – Longleaf Engineering is requesting annexation with original zoning designation of Residential Single-Family (RS-1) for approximately 30.1 acres located south of Northwood Estates subdivision and west of the Magnolia Hills subdivision.

Tom Sims, Longleaf Engineering, spoke at the podium. He stated that he would like to continue this case to May due to a mix up with the city staff and to give them enough time to properly review everything.

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.

Mrs. Ramm stated that this notification will serve as proper notification for any adjoining property owners. **Motion by Mr. Turner** to continue the annexation case 30.1 acres for the property located south of Northwood Estates subdivision and west of the Magnolia Hills subdivision. **Seconded by Mr. Randolph.** Voice vote was given. **Motion Carried.**

- B. **R-25-4 Magnolia Hills West** – Longleaf Engineering is requesting rezoning and Special District Plan approval for approximately 29.17 acres located south of the Northwood Estates subdivision and west of the Magnolia Hills subdivision.

Tom Sims, Longleaf Engineering, spoke at the podium. He stated that he would like to continue this case to May due to a mix up with the city staff and to give them enough time to properly review everything.

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.

Mrs. Ramm stated that this notification will serve as proper notification for any adjoining property owners.

Motion by Mr. Turner to continue the rezoning case 29.17 acres for the property located south of Northwood Estates subdivision and west of the Magnolia Hills subdivision. **Seconded by Mr. Wiggins.** Voice vote was given. **Motion Carried.**

- C. **R-25-3 University Beach** – University Beach, LLC is requesting rezoning and Special District Plan approval for approximately 76.2 acres located north of McFarland Boulevard and east of Harper Road.

Mrs. Ramm stated that University Beach, LLC is requesting rezoning with Special District Plan approval for approximately 76.2 acres located north of McFarland Boulevard and east of Harper Road. The property is currently zoned Highway Commercial (C-6). The proposed development features a mixed-use development centered around a 10-acre lagoon and features a water park, hotel, retail, restaurants, and residential. The proposed layout is shown in the included Special District Plan and detailed in the included narrative. The Special District Plan proposes changes from the regular requirements of the subdivision regulations and zoning ordinance.

Category	Required / Permitted	Proposed
R.O.W. Width	60'	50'
Street Width	31'	28'
Stub Streets	2 along eastern boundary	None
Sidewalks	4' sidewalks along both sides of all public R.O.W.	See sheet SD5.1
Landscaping	20' perimeter, interior parking lot, 7' foundation plantings, 10' vehicular area screening	10'-20' perimeter, interior parking lot, 10' vehicular area screening, street trees -see sheet SD9.1
Lot sizes – Single Family Detached	50' width; 4,000sf minimum area	30' width; 2,100sf minimum area
Setbacks – Single Family Detached	20' Front, 7' Side, 25' Rear	5' Front, 0' to 10' Side with 8' minimum between buildings, 3' Rear
Signage	1 freestanding sign up to 150sf and 20' tall per lot, or 2 freestanding signs up to 350sf total and 35' tall per development	10 freestanding signs throughout development, including one 50' tall digital sign up to 650sf – see attached signage plan beginning on sheet XS101
Fencing	Chain-link, privacy, and fences over 4' tall not permitted in a front yard	Since a detention pond is proposed in the front yard near Hwy 82, a 6' fence will be required
Parking	9'x20 spaces	9'x18' spaces
Building Materials - Nonresidential	Min. 40% masonry on front façade, min 30% masonry elsewhere	A mixture of brick, stone, split-face block, architectural metal panels, architectural wood cladding, and other cementitious materials.
Uses	Agricultural, Residential, Commercial, Entertainment & Recreation, Institutional & Utilities, Industrial	Water parks, lagoons, plus all shown in green in the table at end of report
Building Heights	In C-6, up to 50' generally, up to 75' for hotels, 40' for multifamily	Up to 85' generally, up to 65' for multifamily, up to 3 stories for single-family

The zoning ordinance requires that special districts contain 20% usable open space for active and passive recreation. The development as proposed contains roughly 30% open space. Proposed amenities include a lagoon, water park, boardwalk, walking trails, and private beaches as shown on the site layout. Sheets SD3.1 and SD3.2 show two alternate site layouts for potential residential development in the southwest corner of the site. Sheet SD3.1 shows the proposed layout with multifamily, while sheet SD3.2 shows the site layout with additional single-family detached units. The applicant has expressed the intent of deciding which option to

pursue at a later date. If this plan is approved the applicant will have the ability to develop either of the options shown. The narrative included with this submission proposes a maximum of 470 residential units, with a minimum 50 being single-family detached houses. This would allow the applicant to build up to 420 multifamily residential units. For reference, the development closest in size and scale to this would be the 300+ unit development in Tuscaloosa known as The Lofts. The exact number of required parking spaces cannot be determined at this time, as it depends on the final building sizes and occupant loads, which have not yet been specified. The narrative specifies that a minimum of 1,500 parking spaces would be provided for the entertainment subdistrict once fully built. The future land use plan contained within Northport Compass depicts this property as "General Mixed-Use", which supports a broad variety of commercial, entertainment, and high-density residential uses. The proposed development and requested zoning do not conflict with the comprehensive plan. The site currently consists of vacant property zoned Highway Commercial (C-6). The site is surrounded by undeveloped unincorporated land to the north (no zoning), undeveloped unincorporated land to the east (no zoning), a mixture of restaurant and retail uses zoned Highway Commercial (C-6) to the south across Highway 82, a mixture of restaurant and retail uses zoned Highway Commercial (C-6) to the southwest, and by single-family residential neighborhoods zoned Residential Single-Family (RS-1 and RS-4) to the west across Harper Road.

Mr. Matthews stated that in regard to the sidewalks generally what they are proposing is on the public roadway (perimeter of the development) they would be providing sidewalks on the inside with no development on the outside, the comprehensive proposal shows a pretty extensive network of public sidewalks on the private property. He stated that in regard to the street widths it is important to point out that the roadways will not have on street parking as there is quite a bit of parking proposed within the development and our normal requirements are written around a cross section that includes on street parking so what they are proposing 24' of asphalt so that is 2 12' lanes, anything bigger than that he would have concerns about what kind of speeds are being generated. He stated that the R.O.W. Width being 50' does go hand in hand with the narrower streets and their ability to accommodate utilities throughout the development. He also stated that in regard to the Stub Street Requirements, they do have one proposed to the north but not to the east.

Mr. Wiggins asked Mr. Matthews if the R.O.W. included Harper Road as well or if it was just interior. Mr. Matthews stated it would be the same standard as what was just discussed, and the requirement would be 40' R.O.W on their side, the applicant would need to confirm what they are proposing. He stated that they have proposed sidewalks on Harper Road.

Mr. Turner asked Mr. Matthews on our standard type street what is the size of the sidewalk, 4'? Mr. Matthews stated that was correct, that is what subdivision regulations require. Mr. Turner asked what size the sidewalks are that the city was doing on some of their projects. Mr. Matthews stated that MLK Jr. Blvd will have two 6' sidewalks on either side on some other projects we have one 6' sidewalk proposed.

Mr. Wiggins asked if the large sign would be on Highway 82. Mrs. Ramm confirmed that is where she believes it was proposed.

Mr. Turner asked Mr. Matthews if there has been a traffic study on this development. Mr. Matthews stated that they have performed a traffic study in coordination with their permitting with ALDOT on their main entrance of Highway 82. Mr. Turner asked if there were any other improvements on city streets that need to be made. Mr. Matthews stated that there are no recommended turn lanes to city streets, there is a considerable amount of work that needs to be done on Highway 82 with the turn lanes and traffic signals.

Kent Donahue, 2121 Midway Road, spoke at the podium. He stated that they are wanting to modify the current zoning from C-6 to special district, the reason for the request is to modify the design standards in order for them to implement the mixed-use resort and development. He put together a 3D design of beach club and lagoon to show the commission, he explained what will be on the boardwalk. He showed the restaurant and bar, the concert venue, the surf club, the sky loft, cabana offerings, plunge pool, and surf training facility. He stated that the boardwalk is one point of access, everything shown before is about 12' off the ground, the bottom is a ticketed event, called adventure cove, this will have a wipeout course, a swim up bar, island with seating ledges on them, DJ area, and volleyball. He stated that the waterpark will be just west of the lagoon, the lagoon is what creates a regional destination, they are bringing people from 200 miles away, which brings a tremendous amount of tax revenue. He stated that is what was agreed to for phase 1 but as they got into realized they cannot build this destination driver and not have hospitality at the same time. He stated that they started the design process about 60 days ago for a 150-key hotel, adjacent to the beach club. They also looked at what Tuscaloosa has done on what is needed for conference space in the region, they had a study that came out that recommended 30,000 square feet to go along with the hotel, also will be a part of the wedding market. He stated that the beach club will be something unique to the entire country.

Mr. Donahue stated that with the investment the city has made with the ball fields, ball fields are very competitive so the city needs another hook to get teams here for tournaments and this will be a true regional destination. He stated that after meeting with the tourism board, there are over 400 state conferences every year that Tuscaloosa hasn't been able to be a part of because they do not have the space, the only downside to the event space is that they really need more hotel keys. Mr. Donahue showed renderings of the hotel and conference center. He stated that the rates will be about \$250/night with premiums some times.

Mr. Turner asked Mr. Donahue to talk outside of the beach club and the lagoon. Mr. Donahue stated that on the west side they will have beach homes, really for second homes, you have 2 or 3 primaries', it could be individually owned, or they will keep them and rent them out. No maintenance, turf front yard. He stated that there are 19 beach front homes, the residents will have access to the fitness facility and pool at the hotel, fully maintained by the HOA, alley served. He stated that the homes will be in front of the park or the beach, the park will have an open space, fire pits, etc. and the homes will be 2,500-3,200 sf, the beach front lots will probably go for 1.5 million.

Mr. Turner asked if the residential portion would have garages. Mr. Donahue stated that they will be alley served garages.

Mr. Lewis asked if it was alley way. Mr. Donahue confirmed that was correct, they will also provide some additional parking, so that people do not park in the alleys.

Mr. Donahue reviewed the water park; and stated the following: the lazy river will be 1400 linear feet. There will be an infant pool, elementary school age pool, and a waterslide tower with five slides. There will be an opportunity for paddle boards, kayaks, and then a wipe out course. They are really hoping to tie in the University and have discount days.

Mr. Turner asked Mr. Donahue if he could touch on what is intended on McFarland. Mr. Donahue stated that it was more conventional small shop retail at the entry, two pads to the left, then just behind those pads that would be a great spot for a limited service if the hotel offering is successful. He stated that the other part of the southside of the lagoon, they have 20 units that would be in phase 2, the multi-family would be in phase 2, then about 22,000 square feet of boardwalk retail. Phase 2 is in the wetlands now, they have reworked the design plan, but at the end of the day ended up with a concept that's even better than what they had done. He stated

that the comprehensive plan did request for a variety of housing types so multi-family is plugged in there. This is expensive multi-family because it is all garage parked.

Mr. Turner asked Mr. Donahue if he had met with some of the community and neighbors since some of the design was based on their feedback. Mr. Donahue stated that he wanted to but after a lawsuit, council stated that it was not a good idea to meet with the community.

Mr. Kemp asked Mr. Donahue if the HOA was going to be in charge of the west side of the lagoon. Mr. Donahue stated that was correct. The Master Association will maintain all of it, then there will be a sub-association for the residential area. Mr. Kemp also asked Mr. Donahue what the timeline was for phase 1 and phase 2. Mr. Donahue stated that phase 1 is actually the majority of the project, phase 2 is 20 beach homes, the multifamily and the boardwalk retail. Mr. Kemp asked if phase 1 and phase 2 would be done at the same time. Mr. Donahue stated there would be a gap because of the Corps of Engineers. He stated that the numbers they have received for direct taxes to the city over the life of the development agreement (30 years) is \$240 million. He stated that University Beach participates in 62% of that. Mr. Kemp asked how many livable units were in phase 1 and phase 2. Mr. Donahue stated that there were 50 livable units in phase 1 and 20 livable units (beach homes) and 400 multifamily in phase 2, if he cannot get the rents to justify the multifamily, he will build more beach homes.

Mr. Turner asked regarding the development impacts based upon assumed project phasing that the City of Northport public service providers will be able to provide sufficient services to the special district while maintaining sufficient levels of service to existing development. Mr. Donahue stated that they have checked the capacities, and he thinks they have updated some of the stations. Mr. Turner asked what all that included, water, sewer, police, and fire. Mr. Donahue stated he did not think it included police and fire.

Mr. Kemp stated that it is a lot and by going this route that they are after and all of the allowable items on the chart, this turns loose a lot of potential things, if it is done, we then have no more control about what goes in here because of what is allowed. Mrs. Ramm stated that Mr. Kemp was correct, if they are listed in green, that would be what would be permitted in this specific special district plan. However, if the commission has any specific concerns about any of the items, the commission has the authority to make suggested changes in the recommendation to council. Mr. Kemp stated that his only issue with that is the time frame of going through the list and sitting in this meeting, because there are a few he is not crazy about. Mr. Kemp stated that self-storage climate control is one that sticks out to him that we would lose control over if the special district was allowed, is this a good place for that or not? Mr. Donahue stated that he did not have one planned for here, a lot of people use them especially for second homes, it would not be a big 6-7 acres facility, it would be a high rise. They would be fine with taking self-storage off, and they are open to suggestions. Mr. Kemp stated that the reason he asked about the phases is because they are basically asking the commission to cover the phasing of construction the entire 76+ acres.

Mr. Randolph stated where there is an option for 470 residential units, if they don't do this then it was mentioned that the alternative would be more beach homes, what is the trade off? Mr. Donahue stated that we are all better off if we can keep the multifamily, as far as we have seen in Dallas, they need people to support these restaurants, if you have walkability and more density. The rent will be higher than most mortgages in the area, but if he can't get those rents, he will not build the multifamily. Mr. Randolph stated that he is trying to get an idea for comparison, instead of the 470, there would be 36 beach homes in phase 2. Mr. Donahue stated that was correct and that is one he wants to keep flexibility on, because it benefits the mixed use components. Mr. Turner stated that as pointed out in the Staff Report the largest multi-family complex in Tuscaloosa is the Lofts, and it's just over 300 units and its right there near the University and one thing that we know from the backgrounds of it is they are high crime areas. He stated that then by allowing one that is 400 units, that's why

the question regarding police and fire came up. Mr. Donahue stated that there will be 24-hour security and an EMT. Mr. Turner states this goes back to Mr. Kemps' point, approving something with the what if in it and without knowing, that's tough on the Commission's decision. He stated that the Commission is just recommending this, ultimately it is the City Council's decision, but we at least want to vet the part of what could be allowed.

Mr. Lewis stated that during the discussion he took the time to read the green highlighted, there are 48 of them, but there are only 11 that are conditional and not already allowed. Which means there are 11 things that they can have a discussion on to say yes or no to the condition so that we do not have to draw this out. Mr. Donahue asked if there would be a special use permit to get that use under the C6 zoning. Mr. Lewis stated that what they are requesting to change the uses of the special use area, out of the ones that are already permitted in what you have there are only 11 that you are asking to add. He stated that we can discuss the 11 and move on, if those 11 are an issue we do not have to vote on those. Mr. Lewis went through the 11 Conditional Uses:

1. Multi-Family Dwelling
2. Townhouses
3. Upper story dwelling
4. Alternative financing: They can get rid of this.
5. Brewery
6. Mini warehouse
7. Motel: They can get rid of this.
8. Nursery, Wholesale: They can get rid of this.
9. Retail – unenclosed including flea market: Mr. Donahue stated that sometimes people like to do festivals but he doesn't want to have a farmers' market out there and maybe they can come back at a later date and get a special condition to do that if they want to have a festival.
10. Self-Storage – Climate Controlled: They can get rid of this.
11. Outdoor/indoor drive in theatre

Mr. Wiggins asked Mrs. Ramm if they were going to modify the permitted uses would they include that in the motion. Mrs. Ramm confirmed they will need to include it in the motion.

Chairman Turner opened the floor for a public hearing.

Bart Harper, 4035 Harper Road, spoke at the podium. He stated it is not a good fit for the City of Northport and that we are not a destination town.

Tuffy Holland, 3314 Mayberry Landing Drive, spoke at the podium. He stated that he feels we need to table the item, and the developer is being disingenuous with the wetlands.

Danny Higdon, 5519 Chestertown Trace, spoke at the podium. He stated that he is concerned about traffic on Highway 82, emergency responders going down the alleyways, parking, and there are no walking spaces.

Jason Sellers, 5314 Lakehurst Drive, spoke at the podium. He asked how it affects the city's investment if phase 2 is not built.

Tim Beasley, 5605 Clearbrook Drive, spoke at the podium. He stated that he is concerned about the noise and wetlands.

Lee Boozer, 4105 Flatwoods Road, spoke at the podium. He stated that some of his property is already in the flood plain and asked if it would have an effect on Mill Creek. He is also concerned about traffic and that a project has never been completed by this company.

Tom Morrison, 15050 Murray Lane, spoke at the podium. He stated that he is concerned about the traffic study and the level of service off of Harper Road.

Bobby Johnson, 5615 Bridle Lane, spoke at the podium. He stated that there are many other destinations in Alabama and to table the item.

Stan Allen, 3715 Horsebend Lane, spoke at the podium. He stated that he is concerned about the noise.

Dale Phillips, 5518 Chestertown Trace, spoke at the podium. He stated that no one has supported this. He also asked if this fits a comprehensive long-range plan.

Holly Brof, 2517 14th Street, spoke at the podium. She asked if the special district provides changes to governance and would like a reiteration of what can be done tonight.

Chairman Turner closed the floor for a public hearing.

Mr. Turner asked Mrs. Ramm what we are voting on and what the options are then what the next steps would be. Mrs. Ramm stated that the commission is voting on a rezoning request and as with any other rezoning request that is a recommendation to city council. She stated that the options tonight would be to make a favorable recommendation to city council, a favorable recommendation with proposed changes, or you can make an unfavorable recommendation to city council. Also, with the applicants' consent the commission could table the item. She stated that as far as the next steps, when he gets ready to subdivide, that subdivision plat would have to come back to the commission.

Mr. Turner stated that for the item heard earlier in the meeting, Harper Road Condominiums, that property is already zoned multifamily, they were wanting to come in and divide the property up so we were hearing a different type of case.

Mr. Kemp stated that if you see on the board do not get caught up in the red and green, there are 6 columns, there are things that are permissible and there are things that are under conditional use. He stated that as the property is zoned right now (C6), the ones we went back and looked at, there were only 11 items in that group that were conditional.

Mr. Wiggins asked Mrs. Ramm to explain a little bit about what the special district is to clear up any questions. Mrs. Ramm stated that when the Planning Commission and the City Council approved the zoning ordinance that was adopted in December, there was a new district called a special district, essentially a planning and development district. In the special district language in the Zoning Ordinance, essentially what an applicant would do is propose a new zoning district that is only applicable to that specific property. Mr. Wiggins asked Mrs. Ramm if the intention of the trade off for having variations for what we have as our standard. Mrs. Ramm stated that we had a lot of requests for RS-4, when the ordinance was approved that RS-4 was completely taken off because the commission and staff that worked on the draft all felt that if someone were to come in and propose smaller lots or higher density that the city or residents deserve some sort of trade off, so we have those outlined in the special district, they have to meet certain criteria in order for us to satisfy the council.

Mr. Turner stated that as far as the prior agreements that have nothing to do with the Commission, we are looking at property and the uses proposed. There were numerous questions about traffic. Mr. Turner asked Mr. Matthews if he wanted to answer the questions about traffic as far as what has been submitted to staff, the only improvement proposed as far as this project is the signal at the entrance on McFarland Boulevard. Mr. Matthews stated there's signal entrance, left turn lane, and right turn lane, all within ALDOT Right of Way. There are roadway improvements but not roadway capacity improvements. Mr. Turner asked Mr. Matthews in regard to the fire access on the alleyways, has fire already reviewed that. Mr. Matthews stated they had reviewed it and he is not here to speak for the fire department, but he believes that the developer has been in touch with the fire department. He stated that in regard to the street width, the required street width in the fire code is 20'. Mr. Turner asked Mr. Matthews if he could talk in regard to the wetlands what can be done from a city permitting standpoint. Mr. Matthews stated that the Corps of Engineers is in charge of the wetlands and we do not have any separate regulations.

Andy McCarthy, 3200 Rice Mine Road, spoke at the podium. He stated that he was going to let Daniel Conner go over the traffic study information.

Daniel Conner, Two Perimeter Park South, spoke at the podium. He stated that they are still in coordination with ALDOT, and the study is not finalized yet. They are recommending a turn signal on Highway 82, turn lanes and multiple lanes exiting the site. Mr. Turner asked Mr. Conner if there were any improvements needed at Harper Road and McFarland Boulevard. Mr. Conner stated the only improvements needed would be signal timing updates. Mr. Turner also asked Mr. Conner if the study went from Harper Road to Flatwoods Road and from Flatwoods Road to Highway 43. Mr. Conner stated the study did go that far, the only recommendations were at Harper Road and Flatwoods and that recommendation was unrelated to the development.

Mr. Turner asked Mr. Matthews if a drainage study had been completed. Mr. Matthews stated that there is an conceptual drainage plan that shows what the layout will be like but he has not seen a formal drainage study. Mr. Turner asked Mr. Matthews to speak on what is required pre-development vs. post-development. Mr. Matthews stated the ordinance requires post-development discharge to not exceed the pre-development discharge.

Mr. Randolph had concerns about the parking spaces vs. how many people the concert venue could hold. Mr. Donahue stated between uses and shared parking, there is enough capacity to handle something like that, if parking does become an issue, ability to do a structure in some of those lots. Mr. Wiggins asked Mr. Donahue if he knew based on the 2000 person seating, how many cars that would bring. Mr. Donahue said that he could get us the information on that.

Mr. Turner asked Mr. Donahue if he could address the questions regarding the noise that would generate from the facility. Mr. Donahue stated that there is a hotel next door, so they do not plan on going past midnight on concert nights. He stated that they changed the plan to where the staging is pointing southeast, they also think that the multifamily and the homes will create a buffer. Mr. Turner stated that he thinks there are noise ordinances in the city.

Mr. Turner asked Mr. Donahue if there was another place in Texas that he built. Mr. Donahue stated that he has been in business 30 years so he has had a lot of projects. He stated that he built a bridge crossing interstate 30 and a marina.

Mr. Kemp asked Mr. Donahue if he would consider splitting phase 1 and phase 2 from this proposal based on the special district he is proposing. Mr. Donahue stated that he will not consider it. Mr. Kemp asked Mr.

Donahue if he would consider tabling this so they would have more time to review. Mr. Donahue stated he would not consider tabling the item, he is happy to answer any other questions the commission has and be willing to accept compromises.

Mr. Turner has concerns about the multifamily, the pedestrian side of things, and the sidewalks.

Mr. Turner asked staff if what is proposed in the motion are approved by the council once it comes back for the subdivision the right of way elements are locked in. Mrs. Ramm stated that was correct and referenced section 13.01 in the subdivision regulations. Mr. Turner stated they are requesting stub street, street width, R.O.W. width, and sidewalks as far as subdivisions are concerned. Mrs. Ramm stated that if the commission has any concerns about any of that, they have the ability to make changes to the request and put in the recommendation to the council. Mr. Turner asked Mrs. Ramm if it does go to the council with the changes the commission suggest, can the council change those? Mrs. Ramm stated they do have that option.

Mr. Chandler asked Mr. Donahue, assuming this is not rezoned is there a development plan you could use as its currently zoned. Mr. Donahue stated that they could but not as planned, the residential component would be cut out.

Motion by Mr. Turner to make a favorable recommendation to City Council for the rezoning approval for approximately 76.2 acres located north of McFarland Boulevard and east of Harper Road from C-6 to Special District and for Special District Plan approval for University Beach with the following conditions that the uses of alternative financial services, mini warehouse, nursery – wholesale, motel, self-storage climate control will not be an allowed use and that the sidewalk should be 6' in width within the public right of way. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Turner – No; Mr. Kemp – No; Mr. Chandler – No; Mr. Lewis – Yes; Mr. Randolph – Yes; Mr. Wiggins – Yes. **Motion Failed.**

D. AMD-25-01 – City of Northport proposes amendments to the Zoning Ordinance.

Mrs. Ramm stated that The City of Northport is requesting an amendment to the zoning ordinance. This amendment follows a planned three-month review of the zoning ordinance rewrite adopted on December 16, 2024. The updates serve to correct errors, clean up and clarify minor issues that were discovered.

Motion by Mr. Turner to make a favorable recommendation to the City Council to approve the proposed amendments to the Zoning Ordinance. **Seconded by Mr. Kemp.** Roll call was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Mr. Chandler – Yes; Mr. Lewis – Yes; Mr. Randolph – Yes; Mr. Wiggins – Yes. **Motion Carried.**

COMMITTEE REPORTS

OTHER AND MISCELLANEOUS BUSINESS

A. City of Northport Subdivision Regulations – Public Hearing

Jason Fondren with KPS, presented proposed changes to the subdivision regulations.

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

Meeting was adjourned at 9:12pm.

Kevin Turner, Chairman

ATTEST:

Julie Ramm, Secretary

City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: A-25-1 and R-25-2 The Cove at Northcreek

Applicant: Longleaf Engineering, LLC

Location: South side of Old Union Chapel Road

Request: Annexation with Rezoning with Special District Plan Approval

Longleaf Engineering is requesting rezoning with Special District Plan approval for approximately 26.3 acres located south of Old Union Chapel Road. Portions of the property are currently in the city limits of Northport and zoned Residential Single-Family (RS-1), while one 1.28 acre parcel is located outside of the city limits and is the subject of the annexation case listed above. If the annexation is approved, the parcel will come with an original zoning designation of Residential Single-Family (RS-1).

The proposed development features 67 single family homes and open spaces. The proposed layout is shown in the included Special District Plan and detailed in the included narrative. The Special District Plan proposes changes from the regular requirements of the subdivision regulations and zoning ordinance. The differences identified by staff are noted in the table below.

Category	Required / Permitted	Proposed
Stub Streets	1 along eastern boundary, 2 along southern boundary, 1 along western boundary	None
Setbacks	20' Front, 7' Side, 25' Rear	20' Front, 3' minimum side setbacks with 10' minimum between buildings, 20' Rear
Open Space	20% Open Space	See below

The zoning ordinance requires that special districts contain 20% **usable** open space for active and passive recreation. The development as proposed contains roughly 9% recreational open space with amenities including a playground, grilling area with picnic tables, and a gazebo as shown on the site layout. Additionally, roughly 16% wetlands /natural open space are proposed. The plan does not clearly provide open spaces consistent with the requirements of Section 6.03.04 D and Table 6-5 of the zoning ordinance. 20% minimum common open space is required, and drainage areas and land that are not developed due to steep terrain or other topographic limitations are excluded from the open space calculations. Common open space

must also have qualities making it useful for passive or active recreation and must be developed to serve such purposes. Some of the areas designated as open space in the plan do not appear to meet the standards to be counted as common open space. The calculations provided do not make it clear that the 20% minimum common open space has been provided when the exclusions are considered.

Section 6.03.03.B.2 of the zoning ordinance requires that Special District developments must not have driveways, garages, and parking areas that dominate public views along streets. The provided renderings and sample lot layouts do not clearly demonstrate that this required community benefit is being provided.

The future land use plan contained within Northport Compass depicts this property as a mixture of “High Density Residential” and “High to Medium Density Residential Transition”. The proposed development and requested zoning do not conflict with the comprehensive plan.

The site currently consists of vacant property zoned Residential Single-Family (RS-1) and a vacant unincorporated lot (no zoning). The site is surrounded by single-family detached housing to the north zoned Residential Single-Family (RS-4) or unincorporated (no zoning); by an unincorporated excavation pit to the west across Highway 43 (no zoning); by unincorporated office-warehouse and single-family residential to the south (no zoning); and by unincorporated single-family residential to the east (no zoning).

Any action on this item will be a recommendation to City Council. The Commission can make a recommendation for approval, approval with changes, or denial to the Council; or, with consent of the applicant, table its recommendation to allow time for further review or for the applicant to make requested changes.

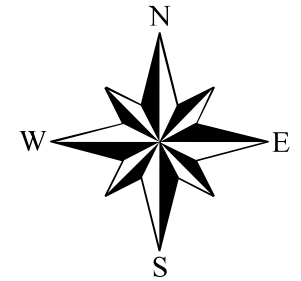
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City of Northport Planning Commission

Annexation Request

Zoning

- | | |
|--|---|
|  Agriculture |  Special District |
|  General Commercial |  Residential Single-Family - 1 |
|  Office and Institutional |  Residential Single-Family - 2 |
|  Residential Multi-Family |  Residential Single-Family - 4 |
| |  Parcels |
| |  Subject Property |



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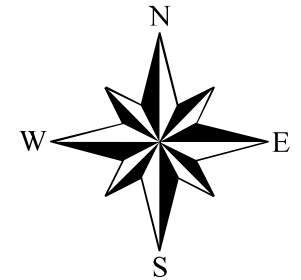
Source: Esri, Maxar, Earthstar, GeoGraphics, and the GIS User Community

City of Northport Planning Commission

Annexation Request

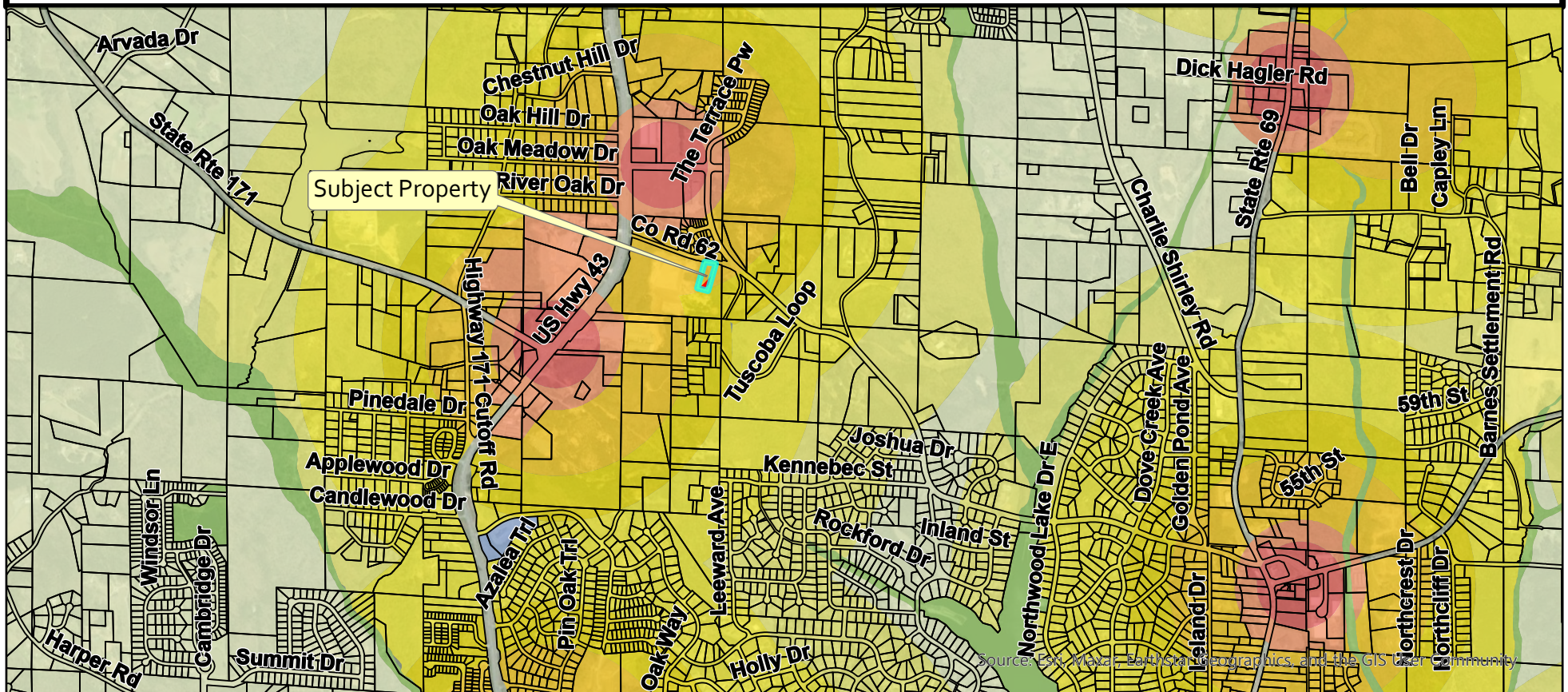
Future Land Use

- Conservation
- Conservation Floodway
- General Mixed-Use
- Limited Mixed-Use
- High Density Residential
- High to Medium Density Transition
- Medium Density Residential
- Medium to Low Density Transition
- Low Density Residential
- Institutional
- Utilities
- Parcels
- Subject Property



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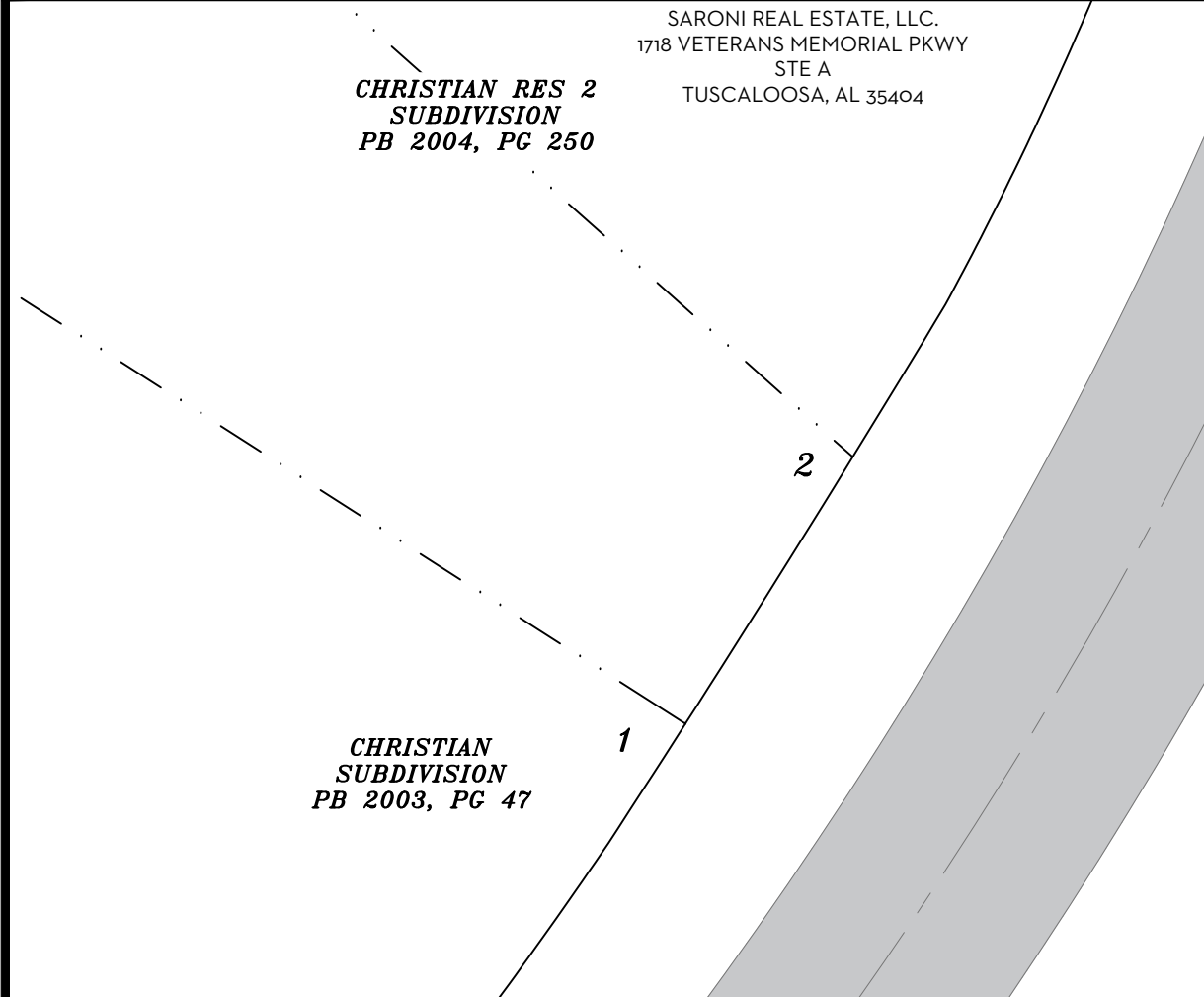


Subject property as seen
from Highway 43 North
looking east.



STREET VIEW A

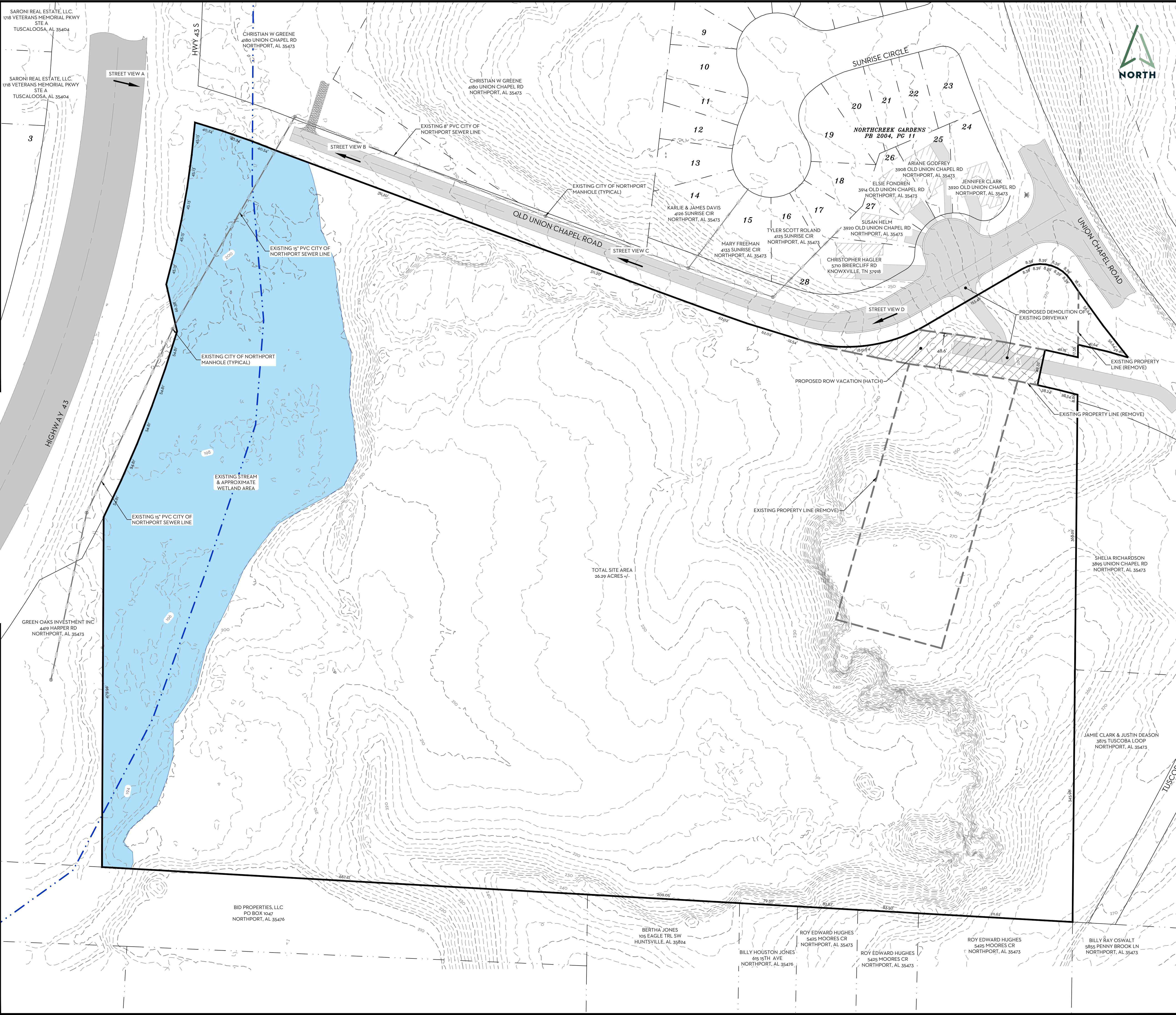
STREET VIEW B



STREET VIEW C



STREET VIEW D



EXISTING CONDITIONS

The Cove at Northcreek
Old Union Chapel Road
Northport, AL

1927 7th Street
Tuscaloosa, Alabama 35401
Phone (205) 345-5646

LONGLEAF
ENGINEERING

Rev	Date	Description

GRAPHIC SCALE

1" = 60'

SHEET

1 OF 1

Drawn By: RAD Checked By: RTS Date: 2/10/2025
File: 22-05-031 The Cove at Northcreek.dwg

City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: A-25-1 and R-25-2 The Cove at Northcreek

Applicant: Longleaf Engineering, LLC

Location: South side of Old Union Chapel Road

Request: Annexation with Rezoning with Special District Plan Approval

Longleaf Engineering is requesting rezoning with Special District Plan approval for approximately 26.3 acres located south of Old Union Chapel Road. Portions of the property are currently in the city limits of Northport and zoned Residential Single-Family (RS-1), while one 1.28 acre parcel is located outside of the city limits and is the subject of the annexation case listed above. If the annexation is approved, the parcel will come with an original zoning designation of Residential Single-Family (RS-1).

The proposed development features 67 single family homes and open spaces. The proposed layout is shown in the included Special District Plan and detailed in the included narrative. The Special District Plan proposes changes from the regular requirements of the subdivision regulations and zoning ordinance. The differences identified by staff are noted in the table below.

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Section 6.03.03.B.2 of the zoning ordinance requires that Special District developments must not have driveways, garages, and parking areas that dominate public views along streets. The provided renderings and sample lot layouts do not clearly demonstrate that this required community benefit is being provided.

The future land use plan contained within Northport Compass depicts this property as a mixture of “High Density Residential” and “High to Medium Density Residential Transition”. The proposed development and requested zoning do not conflict with the comprehensive plan.

The site currently consists of vacant property zoned Residential Single-Family (RS-1) and a vacant unincorporated lot (no zoning). The site is surrounded by single-family detached housing to the north zoned Residential Single-Family (RS-4) or unincorporated (no zoning); by an unincorporated excavation pit to the west across Highway 43 (no zoning); by unincorporated office-warehouse and single-family residential to the south (no zoning); and by unincorporated single-family residential to the east (no zoning).

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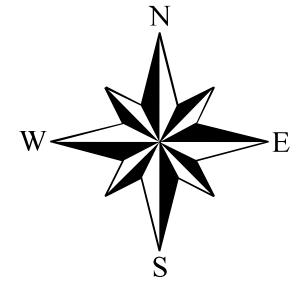
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City of Northport Planning Commission

Rezoning Request

Zoning

- | | |
|--|---|
|  Agriculture |  Special District |
|  General Commercial |  Residential Single-Family - 1 |
|  Office and Institutional |  Residential Single-Family - 2 |
|  Residential Multi-Family |  Residential Single-Family - 4 |
| |  Parcels |
| |  Subject Properties |



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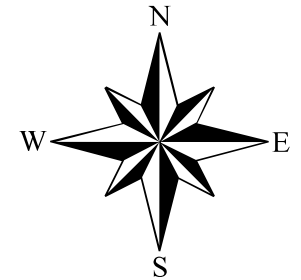
Source: Esri, Maxar, Earthstar, GeoGraphics, and the GIS User Community

City of Northport Planning Commission

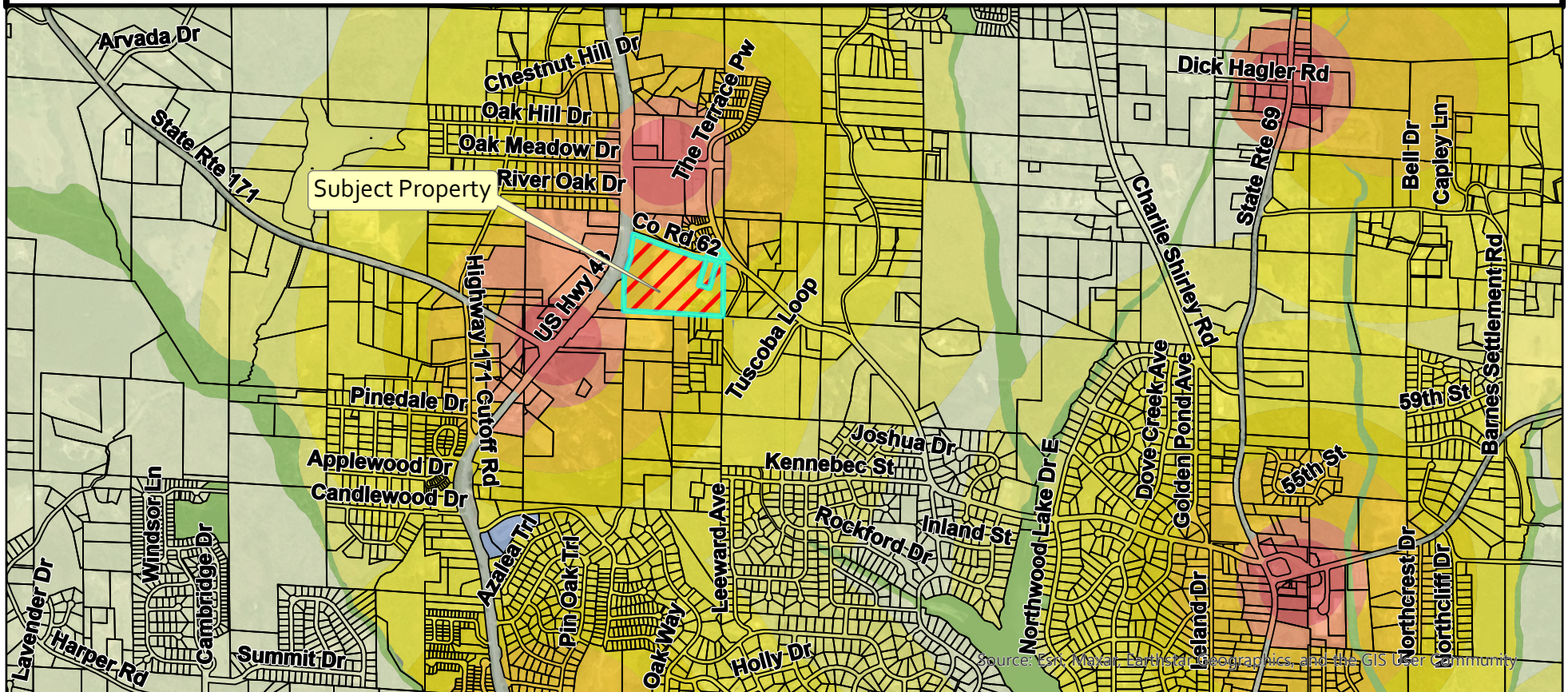
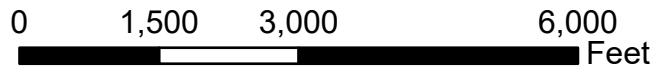
Rezoning Request

Future Land Use

- Conservation
- Conservation Floodway
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- Limited Mixed-Use
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Source: Esri, Maxar, Earthstar, Imagery, and the GIS User Community



Subject property as seen
from Highway 43 North
looking east.

The Cove at Northcreek Special District

The Cove at Northcreek Subdivision is a new special district proposed along the south side of Old Union Chapel in Northport, AL. The site consists of approximately 26 acres, which will be subdivided into 67 single family detached home lots and 3 open space lots yielding an overall density of 2.55 dwelling units per acre. The City's Future Land Use map characterizes this site as High Density Residential. According to the City's Comprehensive Plan, High Density Residential generally has a density greater than 5.5 units per acre and includes a variety of housing types, ranging from traditional detached homes on small lots to multifamily. The proposed plan provides a lower density alternative to the High Density Residential, making this subdivision more compatible with the nature and density of nearby developments.

The proposed subdivision includes approximately 8.4 acres of open space (roughly 30% of the total site area) with a variety of uses. Open Space Lot 1 includes greenspace, a natural vegetated buffer, a gazebo, and a grilling area. Open Space Lot 2 will include an off-street parking area, playground equipment, and sidewalks and benches. Open Space Lot 3 includes a paved walking trail with benches located along the path. This open space will also permit the preservation of the existing stream and wetlands and provide space for a new detention pond. The variety of proposed amenities will appeal to future residents of all stages in life. All of the proposed open spaces will be connected to the proposed sidewalk network, promoting pedestrian-access. All open spaces and amenities will be maintained by The Cove at Northcreek Homeowners Association.

The proposed Cove at Northcreek special district aligns with the objectives listed for SD developments. Specifically, the high-quality homes and building materials will be complimented by a variety of open spaces including a pedestrian-friendly layout, a centrally-located community space, and the preservation of natural vegetation and wetlands. This special district will allow for an efficient street and lot layout that is similar to nearby subdivisions such as The Terrace at Northcreek and Northcreek Gardens. A waiver is requested from the stub street requirement due to topography.

The proposed lots within The Cove at Northcreek are 50' and 60' wide and range from 5,500 to 32,000 square feet. The developer is requesting a modification to the proposed setbacks within this special district for 20' front, 20' rear, and a minimum 3' side setback with a required 10' between houses. This modification is the same request that was made for Phases 3-5 of the Terrace at Northcreek subdivision. The same builder is expected to be building homes in this development; they are requesting the modified setbacks to provide architectural flexibility and create a more interesting streetscape. Building materials will be similar to what is proposed in The Terrace as well, and allow for a mix of all masonry elevations, mixed fiber cement and masonry elevations, and all fiber cement elevations. There will be no alternative building materials permitted. The building plans for this subdivision will each have a variety of exterior options, and an Architectural Review Committee shall be formed to restrict the construction of similar house plans adjacent to and across the road from each other. This will ensure a unique home for each resident and a varied streetscape. A sample set of protective covenants is included in this special district plan. A similar version, specifically for The Cove at Northcreek, shall be

adopted by the Homeowners Association and shall include provisions and definitions for an Architectural Review Committee.

As listed in section 6.03.03 of the zoning ordinance, there will be additional community benefits proposed as part of the Cove at Northcreek. They are as follows:

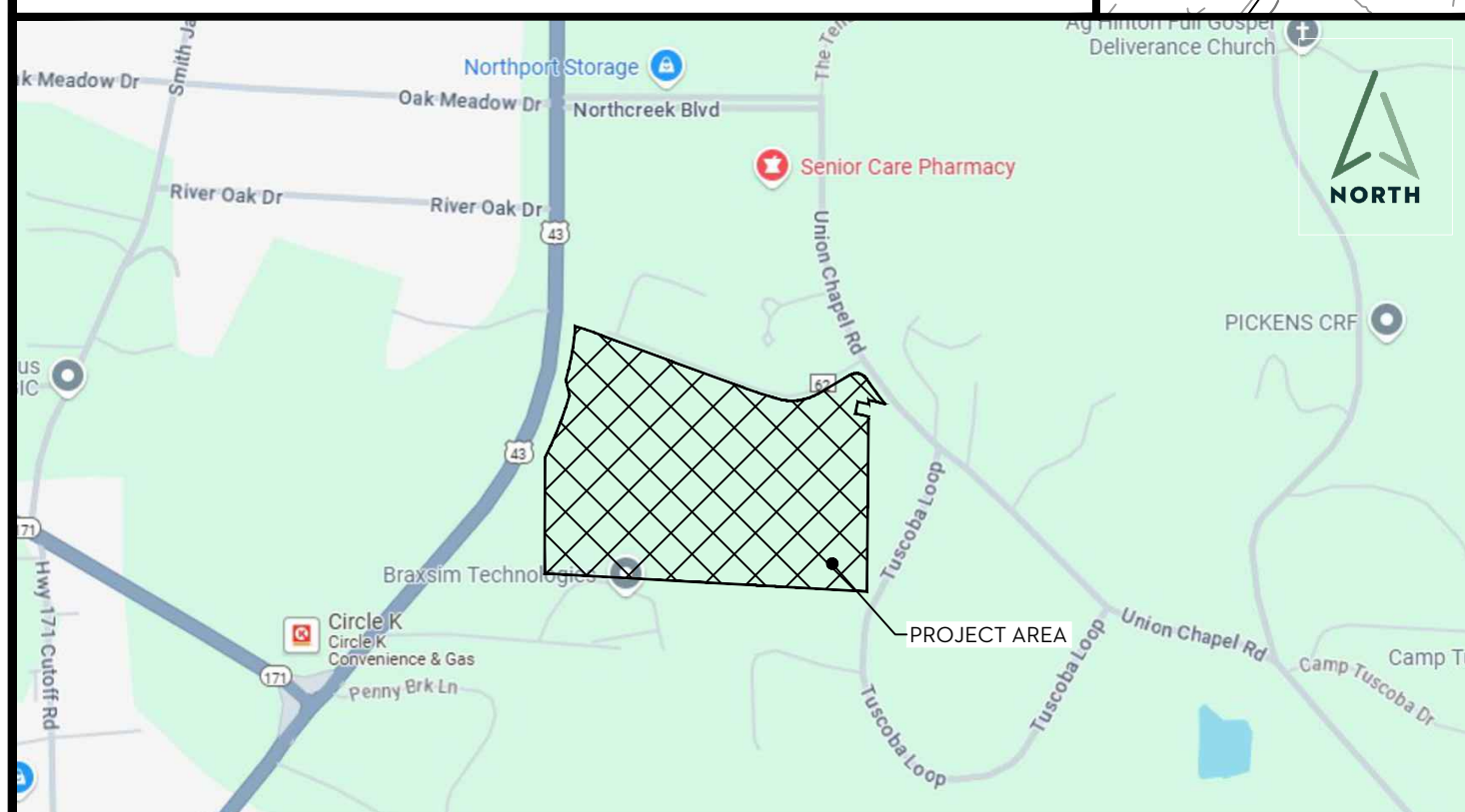
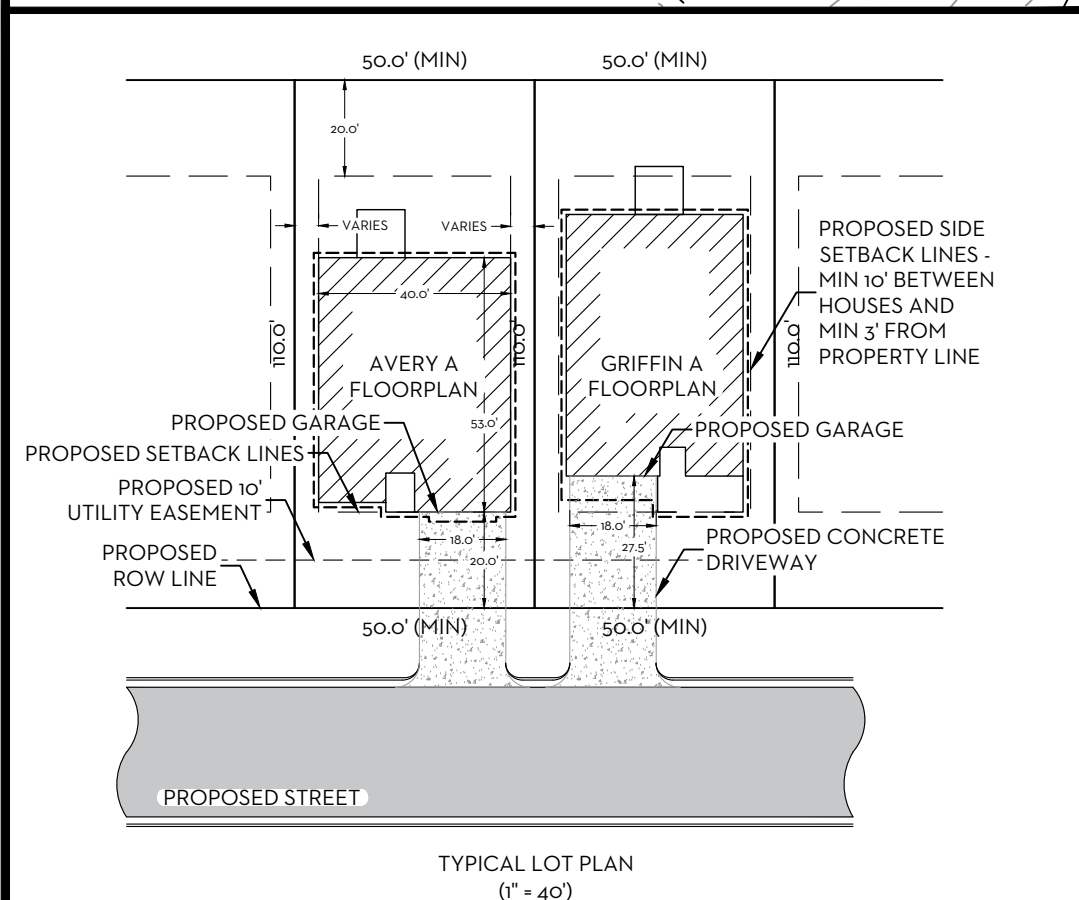
- Benefit 1. *All buildings will feature quality, durable materials.*
 - Building materials will include and are limited to the following: all masonry elevations, mixed fiber cement and masonry elevations, and all fiber cement elevations. There is no vinyl siding proposed or permitted in The Cove at Northcreek.
- Benefit 2. *Driveways, garages and parking areas will not dominate public views along streets. Parking garages along residential blocks will be varied, set back behind the front building line, oriented away from street view, accessed from alleys, or a combination of these methods.*
 - Some of the proposed house plans include variation in the positioning of the garages to create an interesting streetscape and provide a visually appealing product. Decorative columns and covered porches will aid in the provision of a more attractive product and are proposed to be used in at least two of the floorplans. Additionally, the homebuilder is required to meet the tree planting requirement in Section 406 of the Subdivision Regulations which will provide variation in the front yards of the lots and help screen the garages.
- Benefit 3. *Residential developments will feature a range of housing types and sizes appropriate to different stages in life.*
 - Mirrored after the nearby communities, the proposed residential dwellings in The Cove at Northcreek are designed to be versatile and offer a product fit for a range of individuals and families. The proposed homes range from approximately 1,700 sf. to 2,700 sf., providing something for everyone.
- Benefit 4. *Usable open spaces will be provided in accessible locations throughout the development. A greater amount of common open space will be provided in more intensively developed portions of the development.*
 - There are three proposed usable open spaces spread throughout this development. Open Space Lot 1 is in the northeast corner, near the first entrance. This first open space will provide a gazebo and grilling area with picnic tables, meant for gathering and community activity. Open Space Lot 2 is in the southern, central part of the proposed subdivision. This open space will be a playground with benches, intended for the neighborhood kids to run and play, all in the safety of their own subdivision. Open Space Lot 3 is on the west side of the property. This space includes a walking trail with benches and pet waste stations throughout. This will connect the residents with nature and provide a serene place to stroll throughout the day, promoting a sense of fellowship while encouraging pets to exercise and tag along. The intention of these open spaces is to foster a sense of community and give residents a place to unwind, relax, and entertain, all without the need to leave the community.

Section 32, Township 20 South, Range 10 W
Total Site Area: +/- 26.3 Acres
Total Lots: 67 Lots + Open Spaces

Owner:	Northcreek Properties LLC PO Box 470 Northport, AL 35476	Proposed RS-SD Setbacks:	
		Front:	20'
		Side:	10' min between houses, 3' min from property line
Surveyor:	Lonnie J. "Jamie" Autery PLS AL Reg No. 26279 3531 18th Avenue NE Tuscaloosa, AL 35406	Rear:	20'
		Requested Variances:	None
		Requested Waivers:	Stub Streets

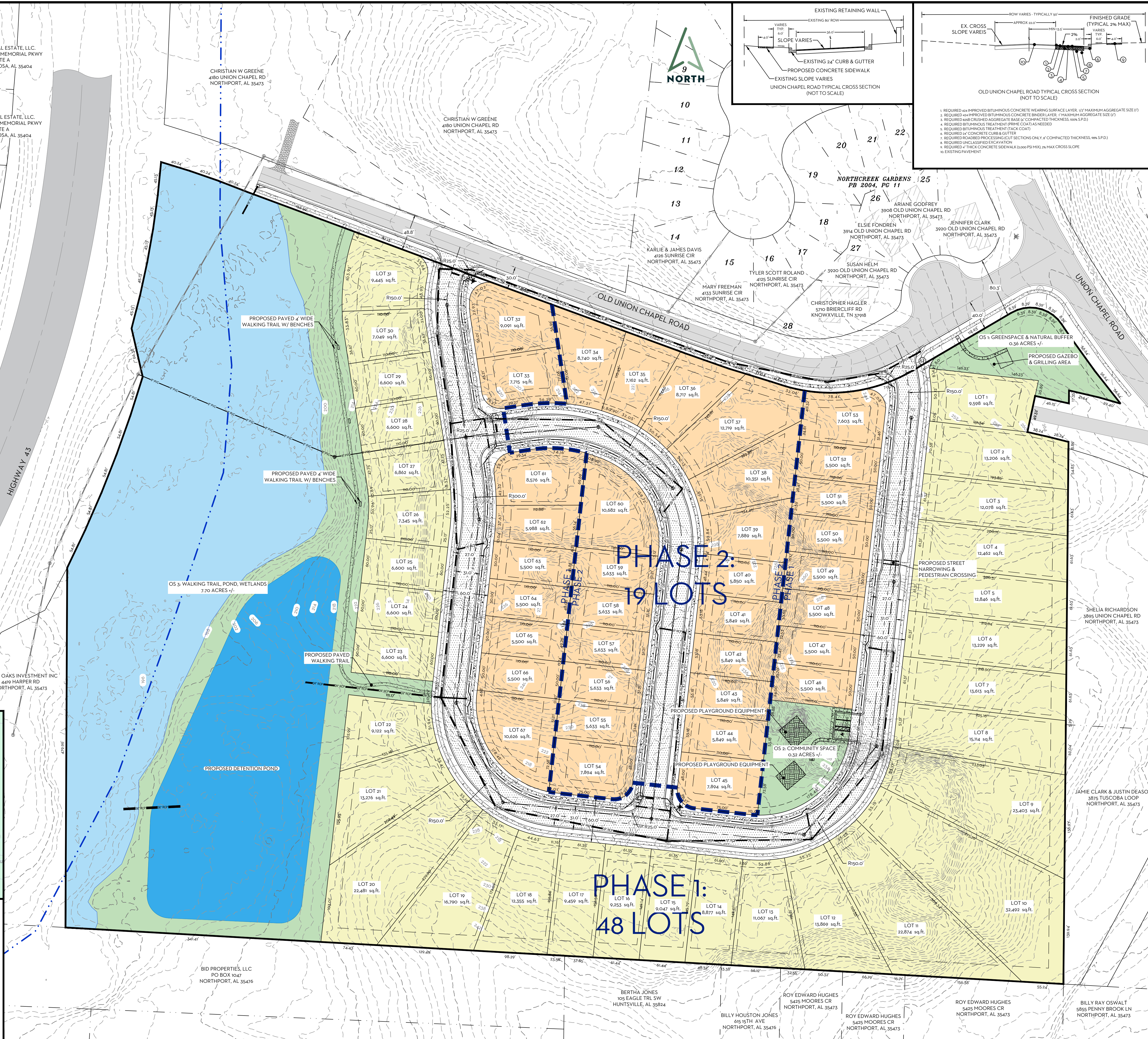
1. Current Zoning: RS-1. Proposed Zoning: RS-SD.
2. All easements shown on this Preliminary Plat will be dedicated for public utility use, including drainage facilities. All storm infrastructure outside of ROW will be maintained by the HOA.
3. No fencing or permanent structure shall be located within any utility, sanitary, or stormwater easement. No bushes, trees, etc. may be planted on an access easement.
4. Homebuilders shall be required to plant 1 tree or shrub per 3,000 sf of lot non-buildable area to comply with Section 406 of the Subdivision Regulations.
5. Open spaces and amenities shall be maintained by the HOA.
6. All proposed streets within this special district shall be dedicated public streets.
7. Sanitary sewer and water services to be provided by City of Northport.
8. No portion of the site lies within a 100-year flood plain (FIRM Map 0125C0338G (1/16/2014)).
9. Proposed total lots: 67 single-family detached
- Proposed density: 2.55 lots/acre
- Total open space: 8.38 acres (31.9% of total site)
- Total open space (excluding detention areas): 6.47 acres (24.6% of total site)

CHRISTIAN RES 2
SUBDIVISION
PB 2004, PG 250



LEGEND

--- 180 ---	Existing 2' Contours		Existing Storm Sewer
	Subdivision Boundary		Proposed Storm Sewer
- . - . -	Adjacent Property Lines		Existing/Proposed Sidewalk
-----	Proposed Lot Line		Existing/Proposed Asphalt
-----	Proposed Setback Line		Existing/Proposed Fire Hydrant
W -----	Existing Water Main		Proposed Inlet/Junction
ESS -----	Existing Sanitary Sewer		Existing Inlet/Junction
PWM -----	Proposed Water Main		Proposed Stop Sign
PSS -----	Proposed Sanitary Sewer		Proposed/Existing Sanitary Sewer Manhole
-----	Existing Right-of-Way		Approximate Wetland Area
GAS -----	Existing Gas Main		Open Space
-----	Essement		Single-Family Lots - 60' & 50' Wide

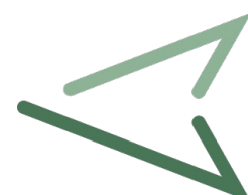


SPECIAL DISTRICT PLAN

THE COVE AT NORTHCREEK
OLD UNION CHAPEL ROAD
NORTHPORT, ALABAMA

1927 7th Street
Tuscaloosa, Alabama 35401
Phone (205) 345-5646

LONGLEAF
ENGINEERING



Rev	Date	Description
1	4/11/2025	Revisions per City of Northport Staff Comments
2	4/28/2025	Revisions per City of Northport Staff Comments

Drawn By: RAID

Checked By: RTS

Date: 2/19/2025

Drawn By: RTS

Checked By: RAID

Date: 2/19/2025

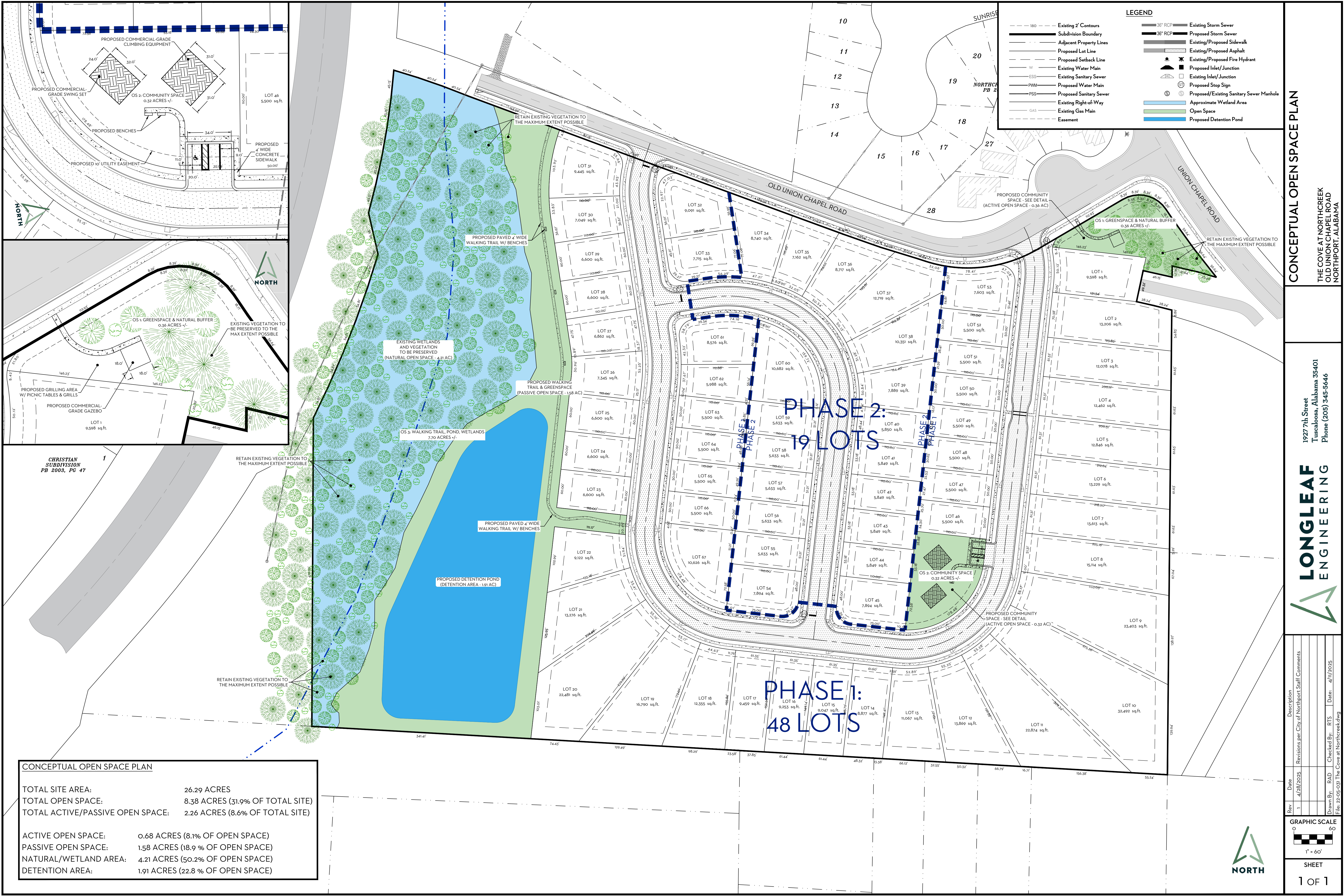
GRAPHIC SCALE

0 60

1" = 60'

SHEET

1 OF 1



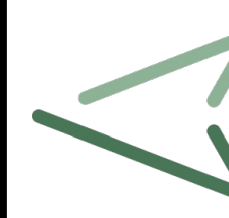
CONCEPTUAL OPEN SPACE PLAN	
TOTAL SITE AREA:	26.29 ACRES
TOTAL OPEN SPACE:	8.38 ACRES (31.9% OF TOTAL SITE)
TOTAL ACTIVE/PASSIVE OPEN SPACE:	2.26 ACRES (8.6% OF TOTAL SITE)
ACTIVE OPEN SPACE:	0.68 ACRES (8.1% OF OPEN SPACE)
PASSIVE OPEN SPACE:	1.58 ACRES (18.9 % OF OPEN SPACE)
NATURAL/WETLAND AREA:	4.21 ACRES (50.2% OF OPEN SPACE)
DETENTION AREA:	1.91 ACRES (22.8 % OF OPEN SPACE)

CONCEPTUAL OPEN SPACE PLAN

THE COVE AT NORTHCREEK
OLD UNION CHAPEL ROAD
NORTHPORT, ALABAMA

1927 7th Street
Tuscaloosa, Alabama 35401
Phone (205) 345-5646

LONGLEAF
ENGINEERING



Rev	Date	Description
1	4/28/2025	Revisions per City of Northport Staff Comments
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DECLARATION OF PROTECTIVE COVENANTS FOR
SIMMS LANDING SUBDIVISION

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, the undersigned Clayton Properties Group, Inc., a Tennessee corporation (which, together with its successors and assigns, is hereinafter referred to as "Developer") is the owner of all of that certain real property situated in Shelby County, Alabama which is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"). All lots shown on the subdivision plat (the "Subdivision Plat") for the Property are hereinafter referred to individually as a "Lot" and collectively as "Lots". The Property is part of a residential subdivision planned by Developer for all of the real property described in Exhibit "B" attached hereto and incorporated herein by reference. As used in these Protective Covenants, the term "Development" shall mean and refer to any of the real property described in Exhibit "B" which is or may be developed by Developer. THESE PROTECTIVE COVENANTS ARE APPLICABLE ONLY TO THE PROPERTY AND SHALL NOT EXTEND TO OR BE BINDING UPON ANY OTHER PORTIONS OF THE DEVELOPMENT OR ANY OF THE OTHER REAL PROPERTY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO.

WHEREAS, the Developer desires to subject all of the Property and each Lot located thereon to the easements, covenants, conditions, assessments, limitations and restrictions hereinafter set forth.

NOW THEREFORE, Developer does hereby expressly adopt the covenants and limitations for the Property as set forth in these Protective Covenants and does hereby declare that the Property and each Lot located within the Property shall be, and the same are hereby, subject to the following easements, covenants, conditions, assessments, limitations and restrictions.

ARTICLE I
EXCLUSIVE RESIDENTIAL USE AND IMPROVEMENTS

1.01 All Lots shall be known and described as residential Lots and shall be used for single-family residential purposes exclusively. No Lot shall be subdivided or re-subdivided without the prior written approval of Developer, or after the termination of the Developer's interest.

1.02 No structure shall be erected, altered, placed or permitted to remain on any Lot other than one (1) detached single-family dwelling not to exceed two stories (not including the basement if applicable), or forty (40) feet above finished grade in height, and a private garage, and other outbuildings incidental to and necessary for proper residential use of the Lot. No mobile home or modular housing is allowed. Any outbuilding will be in conformity to the

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County: Shelby

Date: 6/17/2020 Time: 9:21:01 AM

DECLARATION OF PROTECTIVE COVENANTS FOR

SIMMS LANDING SUBDIVISION

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standards set herein and approved by the Architectural Review Committee (hereinafter referred to as "Committee"), established by Developer pursuant to Article III hereof.

1.03 Notwithstanding anything provided to the contrary herein, Developer shall be permitted to construct and maintain on any Lot a structure and related facilities which may be designed and used as a construction field office and as a sales/marketing office.

1.04 Subject to the provisions of Articles VII and VIII below and the rights retained below by the Committee, each Lot and any dwelling, building or other structure constructed or placed thereon shall be subject to minimum setbacks as set forth on the recorded Subdivision Plat.

No structure (other than the residential dwelling and any attached garage or guest house) may be constructed closer to the ingress and egress road than the back of the residential dwelling. Any buildings of any nature, including gazebos, decks and outbuildings built on any Lot must conform to a residential nature and must be approved by the Committee.

1.05 No Lot shall be used except for single-family residential purposes. No dwellings shall be erected on any Lot containing less than one thousand six hundred (1,600) square feet of living area for a one (1) story dwelling. All two (2) story dwellings must have a minimum of two thousand (2,000) square feet of living area. Story and one-half dwellings must have a minimum of two thousand two hundred (2,200) square feet of living area with at least one thousand four hundred (1,400) square feet of living area on the first floor. Square footage measurements shall include only the living (heated and cooled) areas of a dwelling but shall not include porches, garages, basements or decks. All dwellings will have wooden, vinyl, or aluminum clad windows.

1.06 The entrance ways to the Development, all areas on the recorded Subdivision Plat which are depicted as common area or beautified easements, and any and all other areas or improvements within the Development which Developer may from time to time in its sole discretion designate as common areas, including, without limitation, recreational amenities, parks and play areas within the Development, shall be, for the purpose of maintenance and upkeep, considered common area (collectively, the "Common Area"), and shall be maintained by Simms Landing Homeowners' Association, Inc. (the "Association") as hereinafter provided. In accordance with the City of Pelham's subdivision regulations, the Association shall be responsible for the periodic inspection and maintenance of the detention ponds within the Development. Inspection shall be on an annual basis and shall include the following information:

1. facility type;
2. inspection date, name of inspector, inspector's signature;
3. site location;
4. property owner's information;
5. condition assessment of all features of the detention pond(s);
6. photographs;
7. specific maintenance items or violations that need correction, and;
8. any maintenance agreements with third parties.

Additional inspections shall be performed as required for the proper operation and maintenance of the pond. All maintenance activities performed shall be documented. All inspection and maintenance activities shall be made available to the City of Pelham and the Alabama Department of Environmental Management upon request.

ARTICLE II GENERAL REQUIREMENTS

2.01 It shall be the responsibility of each Lot owner (which together with their respective heirs, executors, personal representatives, successors and assigns is herein individually referred to as an "Owner" and collectively as "Owners") to prevent any unclean, unsightly or unkempt conditions of any dwelling, buildings or grounds on such owner's Lot which may tend to decrease the beauty of the specific area or of the neighborhood as a whole. Any and all dwellings, buildings, structures and other improvements of any nature to any Lot must be approved by the Committee.

2.02 No refuse pile or unsightly object, including firewood, shall be allowed to be placed or suffered to remain upon any part of any Lot or the Property, including vacant Lots or Common Area. Developer, for itself and the Association, reserves the right (after ten (10) days prior written notice to an Owner) to enter any Lot during normal working hours for the purpose of removing trash or refuse therefrom which, in the sole opinion of either Developer or the Association, detracts from the overall beauty and safety of the Property, and may charge the Owner of such Lot a reasonable cost for such services, which charge shall constitute a lien upon such Lot enforceable by appropriate proceedings at law or equity or as hereinafter provided.

2.03 No animals, livestock, or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs and/or cats (not to exceed a total of two (2) in number) and other indoor household pets may be kept on each Lot provided they are not kept, bred or maintained for any commercial purpose, subject to appropriate zoning ordinances. No household pets shall be permitted to run at large and shall be kept on a leash at all times when they are allowed off of their owner's property.

2.04 No noxious or offensive trade or activity shall be carried on or upon any Lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood or to other Owners or which would be in violation of any applicable governmental law, ordinance or regulation.

2.05 No oil drilling, oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any Lot. No derrick or other structure designed for use in boring oil or natural gas shall be erected, maintained or permitted upon any Lot.

2.06 No trash, garbage or other refuse shall be dumped, stored or accumulated on any Lot or Common Area. Trash, garbage or other waste shall not be kept on any Lot except in sanitary containers or garbage compactor units. Garbage containers, if any, shall be kept in a clean and sanitary condition and shall be so placed or screened by shrubbery or other appropriate material approved in writing by the Committee as not to be visible from any road, or within sight

distance of any other Lot at any time except during refuse collection. No outside burning of wood, leaves, trash, garbage or household refuse shall be permitted, except during the construction of a dwelling on such Lot, or with approval of or by the Fire Department having jurisdiction over the Property.

2.07 Except as authorized in Section 1.03 above, no structure of a temporary character, trailer, basement, tent or shack shall be used at any time as a residence either temporarily or permanently or otherwise allowed to remain on any Lot without the Committee's approval. There shall be no occupancy of any dwelling unit until the interior and exterior of the dwelling is completed and a Certificate of Occupancy for such dwelling has been issued by the appropriate governmental authorities.

2.08 No sign of any kind shall be displayed to the public view on any Lot except builder's marketing and directional signs or as may be approved by the Committee. All signs shall comply with the design specifications of the Committee. No signs shall be nailed to trees, unless approved by the Committee.

2.09 When the construction of any dwelling is once begun, work thereon must be prosecuted diligently and continuously and the dwelling on such Lot must be completed within twelve (12) months.

2.10 Outside air conditioning units may not be located in the front yard or within any side yard adjacent to any street on corner Lots. Utility meters shall not be located on the front of a dwelling unless required by any applicable governmental authority. All outside air conditioning units and utility meters shall be screened by appropriate landscaping so as not to be visible from any public street.

2.11 Wood frame, vinyl or aluminum clad windows will be used exclusively on the sides, fronts, and rears of all dwellings constructed.

2.12 No concrete block work, including foundations, concrete block steps, walkways, walls or any other concrete block work, whether painted, or otherwise, shall show above ground or from the exterior of any dwelling.

2.13 The Committee shall have the right, in its sole and absolute discretion, to establish what types of exterior building materials may be utilized on any dwelling or other structures or improvements to a Lot.

2.14 Wood fencing may be utilized on any Lot with prior written approval of the same by the Committee. No other form of fencing may be utilized without the prior written consent of the Committee. If fencing is not finished on both sides, the finished side must be to the outside, if it faces any street or house. Where fences are constructed on two adjoining lots, the owners of each adjoining lot shall connect their fences on a shared fence as near as possible to the boundary line between their lots. The cost of the construction and maintenance of the shared fence shall be the responsibility of the first of the two adjacent property owners to construct the shared fence unless otherwise negotiated independently between the adjacent property owners. The owners of the adjoining lots shall grant an easement to the other adjoining lot owner for any encroachment of the shared fence onto their lot.

2.15 No individual water supply system shall be permitted on any Lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of both state and local public health authorities. Approval of such system as installed shall be obtained from such authority.

2.16 No automobiles or other vehicles will be stored on any Lot or Common Area or kept on blocks unless in the basement or garage of a dwelling. Boats, utility trailers, recreational vehicles and travel trailers must either be parked or stored in the basement or garage of a dwelling or within a completely enclosed structure on a Lot, which structure must be approved by the Committee. No tractor trailer trucks, panel vans or other commercial trucks in excess of one (1) ton classification shall be parked or stored on any Lot or Common Area, except during initial construction of a dwelling on a Lot.

2.17 No satellite, microwave dishes or television or radio antennas shall be placed on any Lot unless first approved in writing by the Committee, except that one (1) meter digital receivers shall be permitted to be placed on the dwelling so long as it is not visible from any street. This section shall be subject to the Over-The-Air Reception Devices rule (47 C.F.R. Section 1.4000) as promulgated by the Federal Communications Commission.

2.18 No individual sewage disposal system shall be permitted on any Lot except as provided in Article IX below.

2.19 Upon the completion of a dwelling, all front and side yards which are not left in a natural state will be landscaped with sod and/or other landscaping approved by the Committee. The rear yard may be seeded or sprigged.

2.20 The roof pitch on any dwelling shall not be less than eight (8) and twelve (12) unless first approved in writing by the Committee. All roof vents and pipes shall be painted either black or as near the color of the roof as possible, and shall be located on the rear of the dwelling and not visible from the front. No solar or other energy collection device or equipment shall be maintained on any Lot or dwelling if the same would be visible from the street. No projections of any type shall be allowed above the roof of any dwelling except for approved chimney and vent stacks.

2.21 All porches on the front and sides of any dwelling shall be supported by the foundation of the dwelling, unless otherwise approved by the Committee.

2.22 No cantilevered chimney chases shall be allowed on the front of any dwelling. All chimney chases shall be supported by the foundation of the dwelling.

2.23 All driveways visible from the street must be concrete finish.

2.24 No Lot shall be cultivated for crops of any sort, except gardens of reasonable size, which are to be located at the rear of a dwelling and not visible from any public street.

2.25 No fence, wall, hedge or shrub planting which obstructs sight lines from any roadways within the Property shall be placed or permitted to remain on any Lot.

2.26 Developer reserves the right to make any road or other improvements within the Property, to change or extend the present road or other street grades, if necessary, without liability to the Owners for any claims for damages; and further reserves the right to change or modify the restrictions on any Lots within the Property.

2.27 During all construction, all vehicles, including those delivering supplies, must enter each Lot on the driveway only as approved by the Committee so as not to unnecessarily damage trees, street paving and curbs. Any damage not repaired by the Owner or his contractor will be repaired by Developer or the Committee (after ten (10) days written notice) and will be charged to the Owner of such Lot at a reasonable cost for such services, which charge shall constitute a lien upon such Lot enforceable by appropriate proceedings at law or equity or as hereinafter provided during construction, all Owners must keep the homes, garages and building sites clean and attractive. No construction debris will be dumped in any area of the Property or any Common Area.

2.28 Except with the prior written consent of Developer, no Lot shall be sold or used for the purpose of extending any public or private road, street or alley or to provide a means of access to any other real property situated adjacent to or in close proximity with the Property.

2.29 To insure the maintenance of the natural beauty, no Owner shall be allowed to dam up any creeks which flow through said Property nor shall any Owner change the flow of said creek or any wet weather streams.

2.30 Motorized vehicular traffic of any type is strictly prohibited on any Common Area except as may be required by the Developer or the Association for maintenance or construction.

2.31 Wood piles shall be located only at the rear of a dwelling and should be screened from view from public streets and adjacent Lots. Children's toys, swing sets, jungle gyms, trampolines and other outdoor recreational equipment and appurtenances shall be allowed only at the rear or behind a dwelling and shall be located so as not to be visible from any public street. Free-standing playhouses and tree houses must be approved by the Committee; no above ground swimming pools shall be allowed on any Lot. No statues, water fountains, bird baths or other lawn ornamentation shall be placed or maintained on the front or side yard of any Lot. All outdoor furniture for any dwelling shall be kept and maintained only at the rear or behind the dwelling or on the front porches of said dwelling. Outside clothes lines and other facilities for drying or airing of clothes are prohibited. No clothing, rugs or other items shall be hung, placed or allowed to remain on any railing, fence or wall. Barbecue grills and other outdoor cooking equipment and apparatus shall be located only at the rear of a dwelling and should not be visible from any public street. Statues, water fountains, bird baths, bird feeders, wood carvings, plaques and other home crafts shall be allowed only at the rear of a dwelling and should not be visible from any public street. No rocks, rock walls, fencing or other substance shall be placed on any Lot as a front or side yard border or to prevent vehicles from parking on or pedestrians from walking on any portion of such Lot or to otherwise impede or limit access to the same. Seasonal or holiday decorations (e.g. Christmas trees and lights, pumpkins, Thanksgiving decorations) shall be promptly removed from any Lot or dwelling within fourteen (14) days following such holiday.

2.32 The Committee shall have the right, in its sole and absolute discretion, to establish what type of mailbox may be utilized with any dwelling situated on a Lot.

ARTICLE III ARCHITECTURAL REVIEW COMMITTEE

3.01 The Committee will consist of no more than five (5) persons each of whom will be designated and may be removed at any time by the Developer, until such time as Developer relinquishes in writing the authority to appoint members to the Committee to the Association. At such time as Developer no longer owns any Lot within the Property or upon Developer's written notice to the Association that it no longer desires to exercise the right to appoint and remove members of the Committee, then the Board of Directors of the Association shall have the right to appoint and terminate, with or without cause, all members of the Committee.

3.02 All plans and specifications, including plot plans, grading and drainage plans for any improvements to a Lot, exterior materials, texture and color selections for any dwellings and the plans for entrance columns serving any Lot within the Property shall be first filed with and approved by the Committee before any construction is commenced on such Lot. The Committee shall have the authority to require modifications and changes in plans and specifications if it deemed the same necessary. Notwithstanding any of the foregoing, homes built by Harris Doyle Homes, Inc. are excluded from the requirements set forth in this section.

3.03 The authority to review and approve plans and specifications as provided herein is a right and not an obligation. Owners (and their respective contractors) shall have the sole obligation to oversee and construct dwellings in accordance with the restrictions hereof and the plans and specifications approved by the Committee. No dwellings, buildings, structures or other improvements of any nature shall be constructed, erected, placed or maintained on any Lot until such time as the Committee has approved in writing the plans therefore. The Committee shall have the right to establish and amend from time to time written rules, regulations and standards governing policies, guidelines and minimum requirements relating to the construction and alteration of any dwellings or other improvements on any Lot, as well as the content and types of information required to be submitted to the Committee for its approval, each of which shall be in addition to the provisions and requirements set forth herein.

3.04 Any exterior remodeling, reconstruction, alterations or additions to an existing dwelling or any activity which would change or alter the exterior appearance of a dwelling must be approved by the Committee. Interior remodeling, reconstruction or alterations not affecting the exterior appearance of a dwelling shall not require the written approval of the Committee, but shall comply with all restrictions and covenants set forth herein.

3.05 Neither the Committee or any architect or agent thereof nor the Developer shall be responsible to check for any defects in any plans or specifications submitted, revised or approved in accordance with the foregoing provisions, nor for any structural or other defects in any work done according to such plans and specifications. EACH OWNER, BY ACCEPTANCE OF A DEED TO ANY LOT, DOES HEREBY WAIVE AND RELEASE THE COMMITTEE AND DEVELOPER AND ANY OF THEIR RESPECTIVE AGENTS, OFFICERS, DIRECTORS, MEMBERS AND SUCCESSORS AND ASSIGNS, FROM ANY LIABILITY OF ANY NATURE WHATSOEVER ARISING FROM DAMAGE, LOSS OR EXPENSE

SUFFERED, CLAIMED, PAID OR INCURRED BY ANY OWNER ON ACCOUNT OF ANY DEFECTS IN ANY PLANS AND SPECIFICATIONS SUBMITTED TO OR APPROVED BY THE COMMITTEE, ANY DEFECTS RESULTING IN ANY WORK DONE IN ACCORDANCE WITH SUCH PLANS OR OTHER DATA SUBMITTED PURSUANT TO THE REQUIREMENTS OF THIS ARTICLE III AND ANY INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, ARISING FROM ANY DEFECT IN ANY IMPROVEMENTS CONSTRUCTED ON SUCH OWNER'S LOT.

3.06 The Committee shall, in its sole and absolute discretion, determine whether the plans and specifications and other data submitted by any Owner for approval are acceptable. Any approval granted by the Committee shall be effective only if such approval is in writing. The Committee shall have the right to disapprove any plans and specifications upon any ground which is inconsistent with the objectives and purposes of the Protective Covenants, including, without limitation, purely aesthetic considerations, failure to comply with any of the provisions of the Protective Covenants, failure to provide requested information, objection to exterior design, appearances or material, objection on the ground of incompatibility with the overall scheme of development for the Property, objection to location of any proposed improvements on any Lot, objection to the color scheme, finish, proportions, style of architecture, height, bulk or appropriateness of any dwellings or other improvements on any Lot or any other matter which, in the sole and absolute judgment of the Committee, would render the proposed dwelling or other improvements inharmonious with the general plan of development for the Property. The approval of plans, specifications and other data for any one specific dwelling shall not be deemed to have established a precedent for future construction or otherwise obligate the Committee to approve similar plans, specifications or data for any other dwelling to be constructed on any Lot within the Property.

3.07 THE PROPERTY MAY BE LOCATED IN AN AREA WHICH INCLUDES UNDERGROUND MINES, TUNNELS, SINKHOLES AND SUBSURFACE CONDITIONS. THE APPROVAL OF PLANS AND SPECIFICATIONS BY THE COMMITTEE SHALL NOT BE CONSTRUED IN ANY RESPECT AS A REPRESENTATION OR WARRANTY BY THE COMMITTEE OR DEVELOPER TO ANY OWNER THAT THE SURFACE OR SUBSURFACE CONDITIONS OF ANY LOT ARE SUITABLE FOR THE CONSTRUCTION OF A DWELLING OR OTHER STRUCTURES THEREON. IT SHALL BE THE SOLE RESPONSIBILITY OF EACH OWNER TO DETERMINE THE SUITABILITY AND ADEQUACY OF THE SURFACE AND THE SUBSURFACE CONDITIONS OF THE LOT. NEITHER DEVELOPER NOR THE COMMITTEE SHALL BE LIABLE OR RESPONSIBLE FOR ANY DAMAGE OR INJURY SUFFERED OR INCURRED BY OWNER OR ANY OTHER PERSON AS A RESULT OF SURFACE OR SUBSURFACE CONDITIONS AFFECTING A LOT OR ANY PORTION THEREOF, INCLUDING, WITHOUT LIMITATION, ANY SURFACE OR SUBSURFACE DRAINAGE OR UNDERGROUND MINES, TUNNELS, SINKHOLES OR OTHER CONDITIONS OR TYPES OF GROUND SUBSIDENCE OCCURRING ON OR UNDER ANY LOT.

3.08 The Committee shall have the right to establish, amend, change and modify from time to time reasonable charges and fees for the review of any plans and specifications submitted pursuant to the provisions hereof. Furthermore, the Committee shall, upon request and at reasonable charges, furnish to any owner a written certificate setting forth whether all necessary

Committee approvals have been obtained in connection with any dwelling or other improvements on any Lot.

3.09 The Committee, in its sole and absolute discretion, shall have the exclusive right to grant variances with respect to any of the matters set forth in these Protective Covenants. Any variance approved by the Committee shall be in writing and shall be executed by either the chairman or the vice-chairman of the Committee. Oral statements shall not be binding on the Developer or Committee.

3.10 Each and every covenant and restriction contained herein shall be considered to be an independent and separate covenant and agreement, and, in the event any one (1) or more of said covenants or restrictions shall, for any reason, be held to be invalid or unenforceable, all remaining covenants and restrictions shall nevertheless remain in full force and effect.

ARTICLE IV SIMMS LANDING HOMEOWNERS' ASSOCIATION, INC.

4.01 Every Owner of a Lot within the Property and the Owner of every "Residential Lot" as hereinafter defined in the Development, is subject to assessments, as hereinafter provided, and shall be a member of the Association (the Certificate of Formation for which are recorded in the Probate Office of Shelby County, Alabama). Membership in the Association shall be appurtenant to and may not be separated from ownership of any Lot and shall be subject to the provisions of these Protective Covenants and the rules, regulations and bylaws of the Association, as the same may be modified and amended from time to time.

4.02 The Association shall have one (1) class of voting membership. All Owners, together with the Owners of all "Residential Lots", as hereinafter defined, shall be members of the Association and, subject to the rights reserved by Developer in the Certificate of Formation and Bylaws of the Association, shall be entitled to one (1) vote for each Residential Lot owned. When more than one (1) person holds an interest in any Lot, all persons shall be members; however, the vote for such Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Lot. Each Owner, by acceptance of a deed to a Lot, does hereby acknowledge and agree that (a) Developer, for so long as Developer owns any portion of the Development, shall be exclusively entitled to take all actions and vote on all matters to be voted on by the board of directors and the members of the Association in the manner set forth in the Certificate of Formation and Bylaws of the Association, and (b) if Developer elects to add Additional Property to this Declaration or as part of the Association or modify the description of the Development to add or delete real property from such description, each Owner consents and agrees to the dilution of his voting interests in the Association as a result thereof.

4.03 The Association (with the prior written consent of Developer for so long as Developer owns any portion of the Development) shall have the right at any time and from time to time to merge, consolidate or otherwise transfer all of the rights and obligations of the Association to any other association which has been formed for the benefit of the Owners of any of the Lots within the Property or any real properties situated adjacent to or in close proximity with the Development.

ARTICLE V
COVENANT FOR ASSESSMENTS

5.01 Each Owner of a Lot within the Property (except as indicated in Section 4.04), by acceptance of a deed to such Lot, agrees to pay to the Association: (i) annual assessments or charges levied each year by the Association, (ii) special assessments for capital improvements, such assessments to be established and collected as hereinafter provided, and (iii) individual assessments which may be levied against any Lot and the Owner thereof as a result of such Owner's failure to comply with the terms of these Protective Covenants. The annual, special and individual assessments, together with interest, late charges, costs and reasonable attorney's fees, shall also be a charge on each Lot and shall be a continuing lien upon each Lot against which such assessment is made, which lien may be enforced in the manner hereinafter provided. Each such assessment, together with interest, late charges, costs and reasonable attorney's fees shall also be the personal obligation of the person who was the Owner of such Lot at the time when the assessment fell due or was due.

5.02 The annual and special assessments levied by the Association shall be used exclusively to promote the recreation, health, safety and welfare of the owners and residents of the Development, for the improvement and maintenance of the Common Areas within the Development and the payment of any and all costs and expenses incurred from time to time by the Association, including, without limitation, any "Common Expenses", as defined in the Bylaws of the Association.

5.03 Any expenses incurred by the Committee or the Association in enforcing any of the provisions of these Protective Covenants against a specific Owner shall be deemed an individual assessment against the Owner and the respective Lot owned by such Owner. Such individual assessment shall be levied by the Association and shall be specified to the Owner, which notice shall also specify the due date for the payment of same. The Association is solely responsible for and shall assume all maintenance responsibilities with respect to all Common Area within the Property.

5.04 The annual assessment for the Property shall commence on June 1 of each year, and shall be paid in advance. The annual assessment shall be established by the Association in accordance with its rules, regulations and Bylaws. Lots owned by the Developer or any Home Builder who has purchased lots for inventory in the Development shall not be subject to any assessment by the Association, be it annual, special or individual.

5.05 In addition to the annual assessments, the Association may levy, in any assessment year, a special assessment, applicable to that year only for the purpose of defraying in whole or in part the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area, provided that any such assessment must have the assent and approval of (a) at least fifty-one percent (51%) of the total votes in the Association, whether voted in person or by proxy, at a meeting duly called for this purpose and (b) for so long as Developer owns any portion of the Development, the approval of the Developer.

5.06 Written notice of any meeting called for the purpose of taking any action authorized under Section 5.05 above shall be sent to all Owners not less than thirty (30) days but no more than sixty (60) days in advance of the meeting. At the first such meeting called, the

presence, either in person or by proxy, of the holders of at least fifty-one percent (51%) or more of all votes in the Association shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirements and the required quorum at the subsequent meeting shall be one-half (½) of the required quorum at the preceding meeting.

5.07 Both annual and special assessments for all Lots within the Property shall be fixed at a uniform rate; provided, however, that the Board of Directors of the Association shall have the right, in their sole and absolute discretion, to levy, assess and collect different amounts as the annual and/or special assessment payable by each "Residential Lot", as hereinafter defined, within the Development based on the zoning classifications of such Residential Lot. As used herein, the term "Residential Lot" or "Residential Lots" shall mean and refer to any real property within the Development which has been or will be developed for single family residential purposes, including, without limitation, attached or detached residential dwellings, townhouses, condominiums, cooperatives, duplexes, garden homes, patio homes, zero-lot-line homes, cluster homes, or any other types of single family dwellings. As used herein and in the Certificate of Formation and Bylaws of the Association, the term "Residential Lots", whether used in the singular or plural tense, shall include all Lots within the Property. Annual and special assessments shall commence as to each Lot on the day on which such Lot is conveyed to any Owner for home occupancy (other than Developer and Builder) and shall be due and payable in such manner as established by the Board of Directors of the Association. The Board of Directors of the Association shall fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be sent to every Owner. The due date for the payment of annual assessments shall be established by the Board of Directors in such notice (but such due date shall be, at a minimum, thirty (30) days from the date of such notice).

5.08 The Association shall, upon demand and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether the assessment on a Lot has been paid. A properly executed certification of the Association as to the status of the assessment on a Lot is binding upon the Association as of the date of its issuance.

5.09 Any assessments (whether annual, special or individual) which are not paid on or before the due date of the same shall bear interest from and after such due date at a rate equal to the lesser of eighteen percent (18%) per annum or the highest rate which may be charged to such Owner by law. In addition to interest, any assessments not paid by the due date for the same shall be subject to a late charge which the Board of Directors of the Association may from time to time establish. In the event any assessments or other amounts due to the Association are not paid by any Owner when the same comes due, then, in addition to all other rights and remedies provided by law or in equity, the Association, acting through the Board of Directors or through any of its duly authorized officers or representatives, may undertake any of the following remedies:

(a) The Association may commence and maintain a suit at law against the Owner for a personal money judgment to enforce all such charges and obligations for assessments and other amounts due to the Association, which amounts shall include the late charge and interest specified above as well as all attorneys' fees, court costs and all other expenses paid or incurred by the Association in connection therewith; and/or

(b) The Association may enforce the lien created pursuant to Section 5.01 above as hereinafter provided. The lien created pursuant to Section 5.01 above shall secure payment of any and all assessments (annual, special and individual) levied against any Lot or Owner, all late charges and interest as provided above as well as all attorneys' fees, court costs and all other expenses paid or incurred by the Association in attempting to collect the assessments and in maintaining any legal action in connection therewith. If any assessments and other charges remain unpaid for more than sixty (60) days following the due date of the same, then the Association shall make written demand on defaulting owner, which demand shall state the date and amount of delinquency. If such delinquency is not paid in full within ten (10) days after the giving of such demand notice, then the Association may file a claim of a lien against the Lot of such delinquent Owner, which claim shall be executed by any member of the Board of Directors of the Association or any officer of the Association and may be foreclosed in the same manner as a foreclosure of a mortgage on real property under the laws of the State of Alabama, as the same may be modified or amended from time to time. The Association shall have the right and power to bid at any such foreclosure sale and to purchase, acquire, hold, lease, mortgage, convey and sell any such Lot purchased at any such foreclosure proceeding. Each Owner, by acceptance of a deed to any Lot, shall be deemed to (i) grant and vest in the Association and/or its agents the right and power to exercise the power of sale granted herein and foreclose the lien created herein, (ii) grant and vest in the Association and/or its agents the right and power to bring all actions against such Owner personally for the collection of all amounts due from such Owner, (iii) expressly waive any objection to the enforcement in foreclosure of the lien created herein, and (iv) expressly waive the defense of the statute of limitations which may be applicable to the commencement of any suit or action for foreclosure. No Owner (other than Developer) may waive or otherwise be exempt from the liability to pay the assessments provided herein.

5.10 The lien for assessments and other charges provided herein with respect to any Lot shall be subordinate to the lien of any first mortgage encumbering such Lot. The sale or transfer of any Lot shall not affect any lien retained by the Association on a Lot; provided, however, that the sale or transfer of any Lot pursuant to mortgage foreclosure or any similar proceedings shall extinguish the lien of such assessment as to payments which became due prior to such sale or transfer.

5.11 In addition to the rights and remedies set forth above, if any Owner (or his contractor, family members, guests or invitees) shall violate or attempt to violate any of the covenants and restrictions set forth herein, then Developer, the Association or the Committee, jointly and severally, shall each have the right to prosecute proceedings at law for the recovery of damages against such Owner as a result of such violations or maintain a proceeding in equity against such Owner to enjoin such violation; provided, however, that the rights and remedies set forth herein shall be deemed to be cumulative of all other rights and remedies available at law or in equity. In any such proceedings, Developer, the Association or the Committee, jointly and severally, shall be entitled to recover all costs and expenses, including reasonable attorneys' fees, incurred by any of them in such proceedings, as well as interest on all unpaid amounts as specified in Section 5.09 above. The failure of Developer, the Association or the Committee to institute proceedings for any one (1) or more violations of these Protective Covenants shall not constitute approval of the same or be construed as a waiver of any right of action contained herein for past or future violations of said covenants and restrictions.

ARTICLE VI EASEMENTS

6.01 Developer does hereby establish and reserve for itself, the Association, the Committee and their respective successors and assigns, a permanent and perpetual non-exclusive easement over, across, through and upon each Lot for the purpose of inspecting each Lot and any dwelling constructed thereon in order to determine the compliance with the provisions of these Protective Covenants and to otherwise perform any of their duties or undertake any of the action authorized or permitted to be taken by any of them pursuant to these Protective Covenants.

6.02 Developer does hereby establish and reserve for itself, its successor and assigns, a permanent and perpetual non-exclusive easement over, across, through, upon and under those portions of any Lot upon which the Developer has reserved an easement, as reflected on the recorded Subdivision Plat for such Lot, which easements may be used for the purpose of installing, erecting, maintaining and using above and below ground utility and cable television lines, poles, wires, cables, conduits, storm sewers, sanitary sewers, conveniences, appurtenances and other utilities.

6.03 Developer does hereby establish and reserve for itself, its successors and assigns, a permanent and perpetual non-exclusive easement over, across, through, upon and under all portions of the Common Area for the purpose of installing, erecting, maintaining and using thereon above and below ground utility and cable television lines, pipes, poles, wires, cables, conduits, storm sewers, sanitary sewers, conveniences and other utilities.

6.04 Subject to any applicable rules and regulations adopted from time to time by the Association and the payment of any fees and charges which may from time to time be established by the Association, Developer does hereby grant to the Association and each Owner the non-exclusive right, privilege and easement of access to and the use of the Common Area in common with Developer, its successors and assigns.

ARTICLE VII SIDEWALK MAINTENANCE

7.01 Maintenance of all easements outside the road right-of-way shall be the responsibility of the Association.

7.02 Sidewalks are constructed throughout the Development. Lot owners are required to maintain sidewalks in front of their Lot. All common area sidewalks shall be maintained by the Association.

ARTICLE VIII MISCELLANEOUS

8.01 Developer reserves the right, in its sole and absolute discretion, at any time and from time to time, to add and submit any additional property (the "Additional Property") situated adjacent to or in close proximity within the Property to the terms and provisions of these Protective Covenants. Additional Property may be submitted to the provisions of these

Protective Covenants by an instrument executed solely by Developer and filed for record in the Probate Office of Shelby County, Alabama, which instrument shall be deemed an amendment to these Protective Covenants which need not be consented to or approved by any Owner or his mortgagee and which may contain different terms, conditions, restrictions and provisions from those set forth herein. From and after the date on which an amendment to these Protective Covenants is recorded in the Probate Office of Shelby County, Alabama submitting any Additional Property to the terms and provisions hereof, (a) all references herein to Owner shall include Owners of all Lots within the Property (except as described in Section 4.04) and the Owners of all Lots within such Additional Property, (b) all references herein to the Property shall include the Additional Property, and (c) the number of votes in the Association shall be increased by the number of Lots within the Additional Property so that there shall continue to be one (1) vote in the Association per Lot within the Property. In no event shall Developer be obligated to submit any Additional Property to the provisions of these Protective Covenants or to otherwise impose any covenants, conditions or restrictions set forth herein upon any other real property owned by Developer situated adjacent to or in close proximity within the Property.

8.02 The terms and provisions of these Protective Covenants shall be binding upon each Owner and their respective heirs, executors, administrators, personal representatives, successors and assigns of each Owner and shall enure to the benefit of Developer, the Committee, the Association and all of the Owners of any of the Lots within the Property. These Protective Covenants shall be deemed covenants running with the land and any Lot shall be held, owned, sold, transferred, conveyed, hypothecated, encumbered, leased, occupied, built upon and otherwise used, improved and maintained subject to all of the terms and provisions of these Protective Covenants.

8.03 It is understood and agreed that the foregoing covenants and restrictions shall attach to and run with the land for a period of fifty (50) years from the date hereof, at which time these covenants and restrictions shall be automatically extended for successive periods of ten (10) years, unless, by a vote of at least fifty-one percent (51%) of all votes in the Association, it is agreed to change the same in whole or part.

8.04 Subject to the provisions of Sections 9.01 and 9.09 hereof, these covenants and restrictions may be amended or altered (a) solely by Developer during such periods of time as the Developer owns any Lots within the Property in the Developer's sole and absolute discretion, or (b) by the (i) vote of fifty-one percent (51%) of all votes in the Association and (ii) written agreement of the Developer which shall be provided by the Developer in its sole and absolute discretion.

8.05 All personal pronouns used herein, whether used in masculine, feminine or neuter gender, shall include all genders. The use of the singular tense shall include the plural and vice versa.

8.06 Each Owner hereby waives any right to seek or obtain judicial partition of any portion of the Property.

8.07 Notwithstanding anything provided herein to the contrary, no sale, transfer, conveyance, lease, pledge, encumbrance or other hypothecation of any Lot by Developer to any third party shall constitute or be deemed a transfer of any of the rights reserved herein to

Developer unless express reference is made in such instrument of conveyance to the specific rights created in these Protective Covenants which Developer is transferring to such third party.

8.08 Whenever in these Protective Covenants Developer, the Association or the Committee has the right to approve, consent to or require any action to be taken, such approval, consent or required action shall, except as otherwise specifically provided herein to the contrary, be given or withheld in the sole and absolute discretion of Developer, the Association or the Committee, as the case may be.

8.09 Developer reserves the right, in its sole and absolute discretion, at any time and from time to time, without any obligation or requirement to obtain the consent or approval of any Owners or any of their mortgagees, to (a) add any additional real property to the Development to the extent the same may be developed for Residential Lots, (b) amend Exhibit "B" attached hereto in order to add or remove any real property from the definition of the Development, (c) alter, change or extend any roadways within the Development or alter any street grades of any roads within the Development, without liability to the Owners for any claims for damages resulting from such alterations or changes, and (d) change, modify or adopt different covenants and restrictions which would affect the Residential Lots within other portions of the Development which covenants and restrictions may be different from those set forth in these Protective Covenants. Developer may undertake any of the actions set forth in this Section 8.09 including, without limitation, executing and recording amendments to these Protective Covenants with respect to any of the matters described in items (a) through (d) above, without the consent or approval of any Owner or his mortgagee. The Protective Covenants shall be applicable only to the Property, as described in Exhibit "A" hereto, and shall not extend to or be binding upon any other real property owned by Developer or any portion of the Development unless expressly subjected to the terms and provisions of these Protective Covenants by an instrument duly executed by Developer and recorded in the office of the Judge of Probate of Shelby County, Alabama. The Development shall not include any real property which may be developed for schools, golf courses, commercial uses or any other uses which are not Residential Lots (collectively, "Non-Residential Uses") and any of the real property described in Exhibit "B" hereto which is developed for Nonresidential Uses shall not be subject to assessments pursuant to these Protective Covenants or pursuant to the Certificate of Formation or Bylaws of the Association.

8.10 Subject to the conditions, restrictions and other provisions of this Declaration, all agreements, actions and determinations lawfully authorized by the Board shall be binding upon Owners, their heirs, executors, personal representatives, administrators, successors and assigns and all others having any interest in the Development. In performing its responsibilities hereunder, the Association, through the Board, shall have the right and authority to delegate to such persons of its choice such duties of the Association as may be determined by the Board. In furtherance of the foregoing and not in limitation thereof, the Association may obtain and pay for the services of any person or entity to manage its affairs or any part thereof, to the extent it deems advisable, as well as such other personnel as the Association shall deem necessary or desirable for the proper operation of any portion of the Development, whether such personnel are furnished or employed directly by the Association or by independent contract with the Association. All costs and expenses incurred incidental to the employment of a manager of the Development or any of the Common Areas shall be a Common Expense. During the term of any such management agreement entered into by the Association with a third party, such manager

may, if authorized by the Board, exercise all the powers and shall be responsible for the performance of all of the duties of the Association, excepting any of such powers or duties specifically and exclusively reserved to the Board or the duties specifically and exclusively reserved to the Board or the officers of the Association by the Declaration, the Certificate of Formation or the Bylaws. Such manager may be an individual, corporation or other legal entity and may be bonded in such manner as the Board may require, with the costs of such bond to be a Common Expense. In addition to the foregoing, the Association may pay for and the Board may hire and contract for such legal and accounting services as are necessary or desirable in connection with the operation of the Development, or the enforcement of this Declaration, the Certificate of Formation, the Bylaws or any rules and regulations of the Association.

8.11 The Association shall and does hereby indemnify, defend and agree to hold each and every officer, agent, representative and member of the Board of the Association, including the Developer, harmless from and against any and all expenses, including court costs and reasonable attorney's fees, suffered, paid or incurred by any such officer, agent, representative or member of the Board in connection with any action, suit or other proceedings (including the settlement of any suit or proceedings if approved by the Board) to which such person may be made a party by reason of being or having been an officer, agent, representative or member of the Board of the Association. The officers, agents, representatives and members of the Board of the Association shall not be liable for any mistake in judgment, negligence or otherwise except for their own willful misconduct or reckless disregard of duty, as finally determined by a court of competent jurisdiction. The officers, agents, representatives and members of the Board of the Association shall have no personal liability with respect to any contract or other commitment made by them, in good faith, on behalf of the Association and the Association shall and does hereby indemnify, defend and agree to forever hold each such officer, agent, representative and member of the Board harmless from any and all liability to others on account of any such contract or commitment. The indemnification obligations and rights provided for herein shall not be exclusive of any other rights to which any officer, agent, representative or member of the Board of the Association may be entitled, including anything provided to the contrary contained in the Certificate of Formation or the Bylaws. The Association shall maintain adequate general liability and officers and directors liability insurance in order to fulfill its obligations under this section and the costs of such insurance shall constitute a Common Expense.

ARTICLE IX REGISTERED SEX OFFENDERS

9.01 No offender (sexual offender or violent sexual offender) which is required to register pursuant to the Alabama Sex Offender Registration and Community Notification Act (Section 15-20A-1, et seq. Ala. Code (1975)) or any other similar federal, state or local legislation ("Offender") shall be permitted to: (i) hold an interest, including, without limitation, a fee simple or leasehold interest, in any lot or residence in the Development; (ii) reside within the Development; or (iii) utilize or enter upon the roadways or the lots in the Development. Without limiting any other right or remedy available to Developer, the Association, or the other owners in the Development, and notwithstanding anything herein to the contrary, Developer, the Association, and/or the other owners in the Development shall have the right to immediately seek any and all remedies available at law or in equity, including, without limitation, injunctive relief and rescission, in cases of a violation of this Restrictive Covenant. Upon the discovery of the purchase of a lot or residence, or the residing within the Development, by an Offender, the

Developer, or the Association, shall retain the right to buy back the lot or residence for the original purchase price of the lot or residence from the owner. This Restriction may be rescinded by the Board of Directors of Simms Landing Homeowners' Association ("Board") on the application by a potential purchaser or resident on a lot or residence within the Development. This rescission shall not be deemed effective until (i) a determination is made by the Board that the person applying is, in the Board's judgment, no longer a danger to the community based upon the facts and circumstances existing at said time, and (ii) it is set out in writing and recorded with the Office of the Judge of Probate of Shelby County, Alabama. This Covenant shall not be utilized at any time by the Board to discriminate against purchasers or lot owners on the basis of race, sex, national origin, ethnicity, familial status, or other illegal purpose. The Developer, the Board, or any committee to which authority is delegated with regard to the enforcement of this Restrictive Covenant, shall be personally immune from any liability for enforcement and shall be indemnified by the Owners for any and all legal expenses, fines, or other costs associated with the enforcement of this provision.

[Remainder of page intentionally left blank. Signature page follows.]

IN WITNESS WHEREOF, the Developer has executed this instrument on the 15th day of JUNE, 2020.

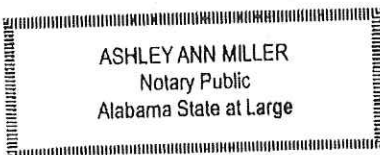
CLAYTON PROPERTIES GROUP, INC.

By: [Signature]
Name: J. Brooks Harris
Title: Authorized Signatory

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that J. Brooks Harris, whose name as Authorized Signatory of Clayton Properties Group, Inc., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Authorized Signatory, and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15 day of June, 2020.



[Signature]
NOTARY PUBLIC My Commission Expires
My Commission Expires: January 26, 2022

This Instrument Prepared By:
Chesley P. Payne
MASSEY, STOTSER & NICHOLS, PC
1780 Gadsden Highway
Birmingham, AL 35235
(205) 838-9000

City of Northport
Planning and Zoning Commission – April 8, 2025
Staff Report

Case: R-4-25 & ANX-25-3 Magnolia Hills West

Applicant: Longleaf Engineering

Location: South of the Northwood Estates and Northwood Gardens subdivisions and west of the Magnolia Hills subdivision

Request: Annexation with Rezoning and Special District Plan Approval

Longleaf Engineering is requesting rezoning with Special District Plan approval for approximately 48.88 acres located south of Northwood Estates subdivision and west of Magnolia Hills subdivision. Portions of the property are currently in the city limits of Northport, with one 13.09 acre parcel currently zoned Special District (SD) and one 3.33 acre parcel currently zoned General Commercial (C-3). The remaining three parcels are located outside the Northport city limits and will be covered in the annexation case above. These parcels will come in with a zoning designation of Residential Single-Family (RS-1). The proposed development features 117 single family homes and open spaces. The proposed layout is shown in the included Special District Plan and detailed in the included narrative. The Special District Plan proposes changes from the regular requirements of the subdivision regulations. The differences identified by staff are noted in the table below:

Category	Required / Permitted	Proposed
R.O.W. Width	60'	50' for Northwood Gardens Drive and the new street proposed through Northwood Gardens Phase IV, no additional R.O.W. width for unimproved stub street to Pin Oak Trail
Stub Streets	1 connecting to Briarcliff Subdivision	None

The plan does not clearly meet the intent of community benefit requirements outlined in Section 6.03.03B of the zoning ordinance. Section 6.03.03B requires that driveways, garages, and parking areas will not dominate public views along streets. It requires that parking garages along residential blocks will be varied, set back behind the front building line, oriented away from street view, accessed from alleys, or a combination of these methods. The elevations provided in the plan have front-facing garages that are flush with the front of the houses.

The zoning ordinance requires that special districts contain 20% **usable** open space for active and passive recreation. The development as proposed contains roughly 33% open space, with only 1.13 acres (**2.31%**) of that open space showing a specified purpose or plan for community use. Proposed amenities include a pickleball court and a playground.

The plan does not clearly provide open spaces consistent with the requirements of Section 6.03.04 D and Table 6-5 of the zoning ordinance. 20% minimum Common Open Space is required, and drainage areas and land that are not developed due to steep terrain or other topographic limitations are excluded from the open space calculations. Common Open Space must also have qualities making it useful for passive or active recreation and must be developed to serve such purposes. Some of the area designated as open space in the plan does not meet the standards to be counted as Common Open Space. The calculations provided do not make it clear that the 20% minimum Common Open Space has been provided when the exclusions are considered.

This property lies within the priority growth areas identified in the comprehensive plan. The future land use plan contained within Northport Compass depicts this property as “High Density Residential”. The proposed development and requested zoning do not conflict with the comprehensive plan.

Any action on this item will be a recommendation to City Council. The Commission can make a recommendation for approval, approval with changes, or denial to the Council; or, with consent of the applicant, table its recommendation to allow time for further review or for the applicant to make requested changes.

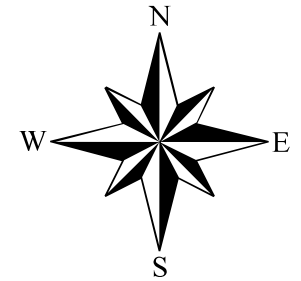
City of Northport Planning Commission

Annexation Request

Zoning

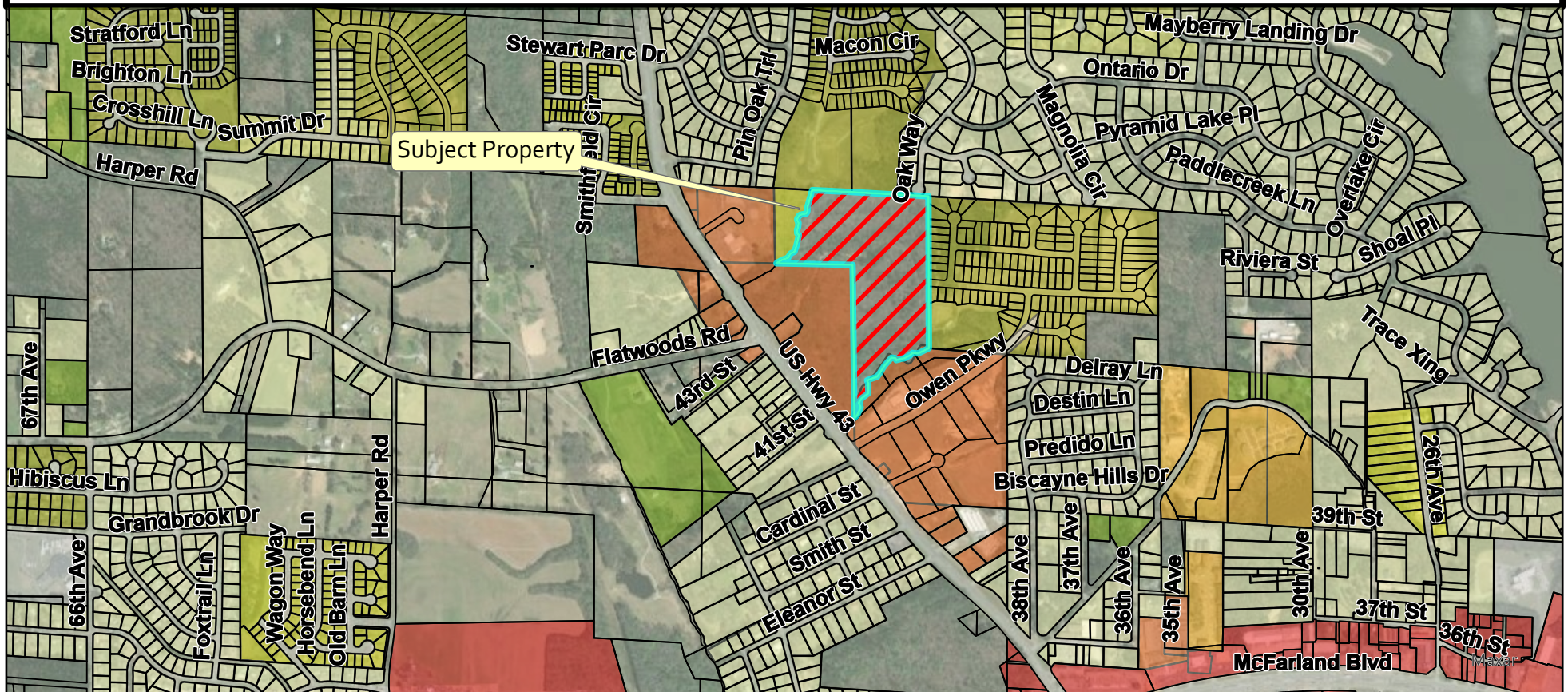
- Agriculture
- General Commercial
- Commercial Highway
- Office and Institutional
- Residential Multi-Family

- Special District
- Residential Single-Family - 1
- Residential Single-Family - 2
- Residential Single-Family - 3
- Residential Single-Family - 4
- Parcels
- 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.

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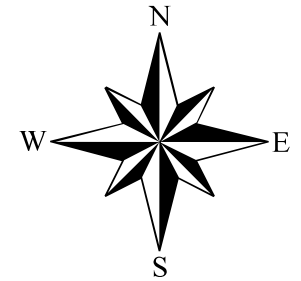
City of Northport Planning Commission

Annexation Request

Future Land Use

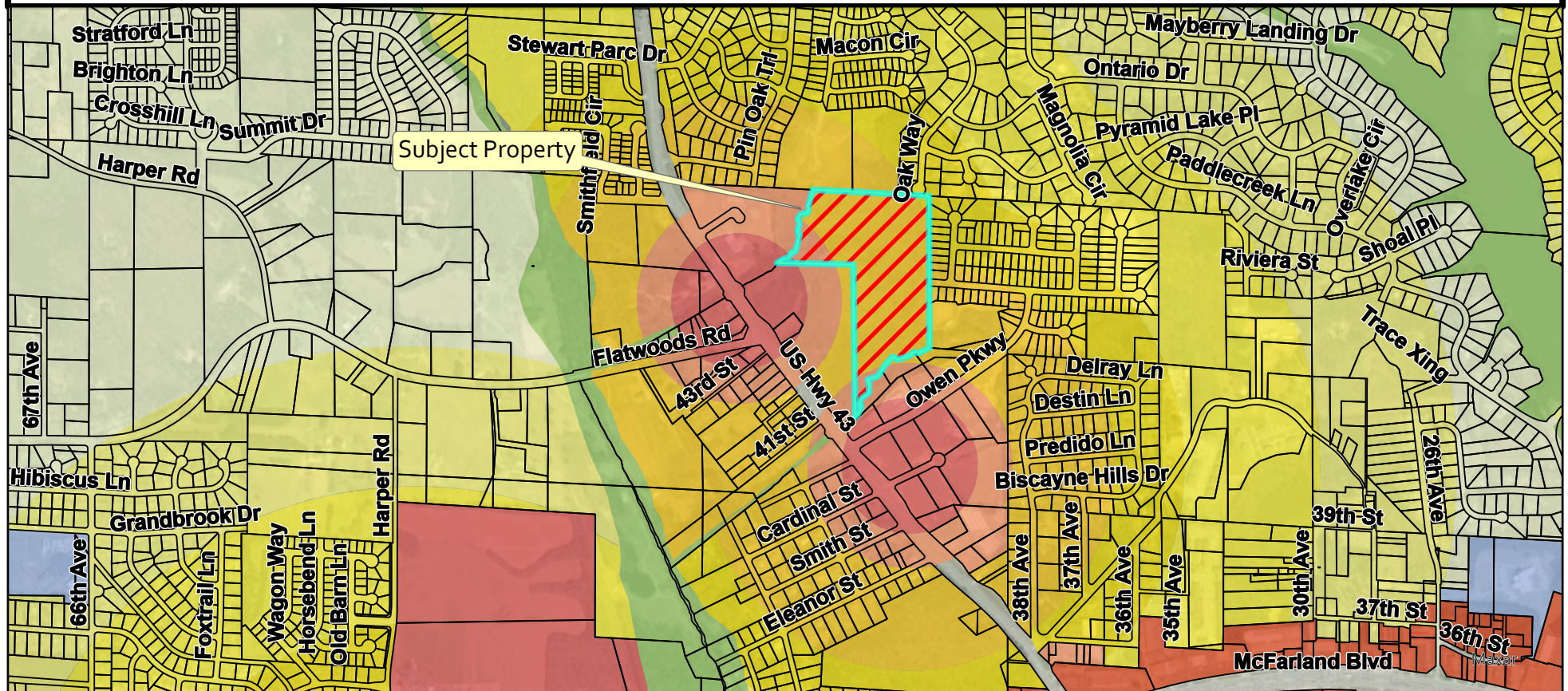
- Conservation
- Conservation Floodway
- Commercial Mix
- General Mixed-Use
- Limited Mixed-Use
- High Density Residential

- High to Medium Density Transition
- Medium Density Residential
- Medium to Low Density Transition
- Low Density Residential
- Institutional
- Utilities
- Parcels
- Subject Property



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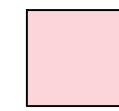


Subject property as
seen from Highway
43 N looking east.

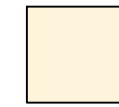
LOT 2 OF NORTHPORT STATION
PARCEL IDS: 63 31 03 05 4 001 002.001 & 63 31 03 05 4 001 002.000

TOTAL SITE AREA:	46.49 +/- ACRES
AREA UNDER CONTROL OF THE DEVELOPER:	33.4 +/- ACRES (EXCLUDES PARCEL 2A-1)

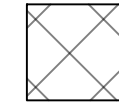
PARCELS TO BE ANNEXED:	PARCEL 2A-2, 2A-3, & 2B-2	30.1 ACRES
PARCELS TO BE REZONED:	PARCEL 2A-2, 2A-3, 2B-1, & 2B-2	33.4 ACRES



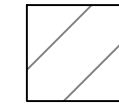
AREA LOCATED WITHIN NORTHPORT CITY LIMITS



AREA LOCATED OUTSIDE OF CITY LIMITS BUT WITHIN PLANNING JURISDICTION



PARCELS TO BE ANNEXED & REZONED



PARCELS TO BE REZONED

NORTHWOOD ESTATES
PHASE 4
PB 2007 PP 14-15

EXISTING NORTHWOOD
ESTATES SUBDIVISION

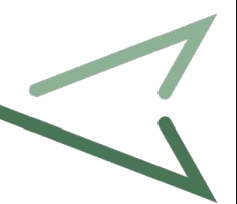


ANNEXATION & REZONING OVERVIEW

MAGNOLIA HILLS WEST
MAGNOLIA HILLS DRIVE & OAK WAY
NORTHPORT, ALABAMA

Tuscaloosa, Alabama 35405
Phone (205) 345-5646

LONGLEAF
ENGINEERING



Page	Date	Description
1	9/27/2023	Corrected Legend

Drawn By: RAD Checked By: RTS Date: 9/7/2023
 File: 23-05-031 Magnolia Hills West.dwg

GRAPHIC SCALE

0 100



1" = 100'

SHEET

1 OF 1

MAGNOLIA HILLS WEST SUBDIVISION - ANNEXATION & REZONING OVERVIEW						
PARCEL NAME	PARCEL ID	PARCEL AREA	CURRENT JURISDICTION	ANNEXATION?	CURRENT ZONING	PROPOSED ZONING
2A-1	63 31 03 05 4 001 002.001	13.09	NORTHPORT CITY	N/A	C3	C3
2A-2	63 31 03 05 4 001 002.000	0.13	COUNTY/NORTHPORT PJ	YES	N/A	C3
2A-3	63 31 03 05 4 001 002.000	1.50	COUNTY/NORTHPORT PJ	YES	N/A	C3
2B-1	63 31 03 05 4 001 002.001	3.33	NORTHPORT CITY	N/A	C3	RS-SD
2B-2	63 31 03 05 4 001 002.000	28.44	COUNTY/NORTHPORT PJ	YES	N/A	RS-SD

City of Northport
Planning and Zoning Commission – April 8, 2025
Staff Report

Case: R-4-25 & ANX-25-3 Magnolia Hills West

Applicant: Longleaf Engineering

Location: South of the Northwood Estates and Northwood Gardens subdivisions and west of the Magnolia Hills subdivision

Request: Annexation with Rezoning and Special District Plan Approval

Longleaf Engineering is requesting rezoning with Special District Plan approval for approximately 48.88 acres located south of Northwood Estates subdivision and west of Magnolia Hills subdivision. Portions of the property are currently in the city limits of Northport, with one 13.09 acre parcel currently zoned Special District (SD) and one 3.33 acre parcel currently zoned General Commercial (C-3). The remaining three parcels are located outside the Northport city limits and will be covered in the annexation case above. These parcels will come in with a zoning designation of Residential Single-Family (RS-1). The proposed development features 117 single family homes and open spaces. The proposed layout is shown in the included Special District Plan and detailed in the included narrative. The Special District Plan proposes changes from the regular requirements of the subdivision regulations. The differences identified by staff are noted in the table below:

Category	Required / Permitted	Proposed
R.O.W. Width	60'	50' for Northwood Gardens Drive and the new street proposed through Northwood Gardens Phase IV, no additional R.O.W. width for unimproved stub street to Pin Oak Trail
Stub Streets	1 connecting to Briarcliff Subdivision	None

The plan does not clearly meet the intent of community benefit requirements outlined in Section 6.03.03B of the zoning ordinance. Section 6.03.03B requires that driveways, garages, and parking areas will not dominate public views along streets. It requires that parking garages along residential blocks will be varied, set back behind the front building line, oriented away from street view, accessed from alleys, or a combination of these methods. The elevations provided in the plan have front-facing garages that are flush with the front of the houses.

The zoning ordinance requires that special districts contain 20% **usable** open space for active and passive recreation. The development as proposed contains roughly 33% open space, with only 1.13 acres (**2.31%**) of that open space showing a specified purpose or plan for community use. Proposed amenities include a pickleball court and a playground.

The plan does not clearly provide open spaces consistent with the requirements of Section 6.03.04 D and Table 6-5 of the zoning ordinance. 20% minimum Common Open Space is required, and drainage areas and land that are not developed due to steep terrain or other topographic limitations are excluded from the open space calculations. Common Open Space must also have qualities making it useful for passive or active recreation and must be developed to serve such purposes. Some of the area designated as open space in the plan does not meet the standards to be counted as Common Open Space. The calculations provided do not make it clear that the 20% minimum Common Open Space has been provided when the exclusions are considered.

This property lies within the priority growth areas identified in the comprehensive plan. The future land use plan contained within Northport Compass depicts this property as “High Density Residential”. The proposed development and requested zoning do not conflict with the comprehensive plan.

Any action on this item will be a recommendation to City Council. The Commission can make a recommendation for approval, approval with changes, or denial to the Council; or, with consent of the applicant, table its recommendation to allow time for further review or for the applicant to make requested changes.

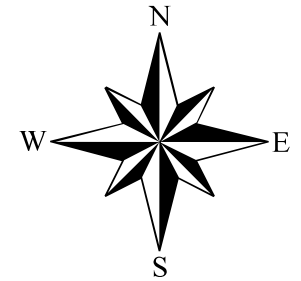
City of Northport Planning Commission

Rezoning Request

Zoning

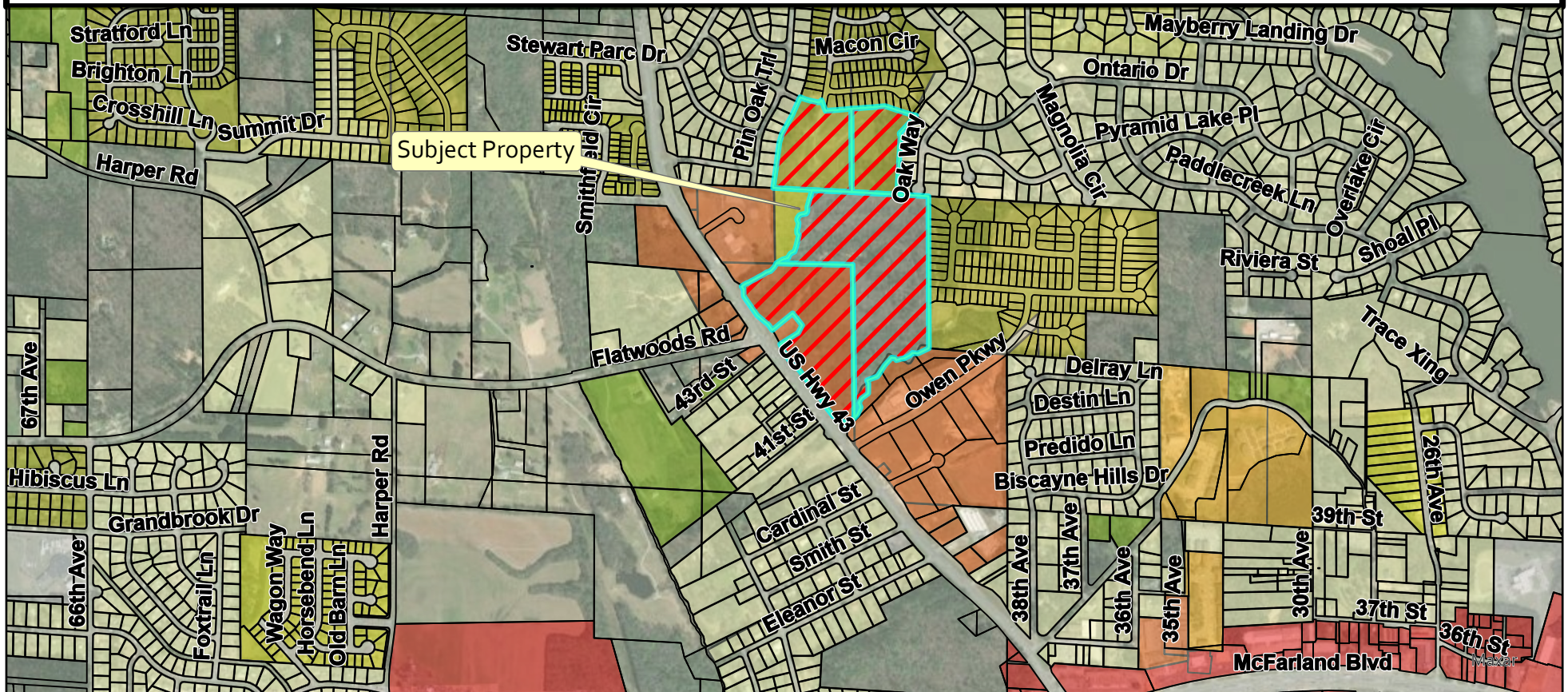
- Agriculture
- General Commercial
- Commercial Highway
- Office and Institutional
- Residential Multi-Family

- Special District
- Residential Single-Family - 1
- Residential Single-Family - 2
- Residential Single-Family - 3
- Residential Single-Family - 4
- Parcels
- Parcels selection



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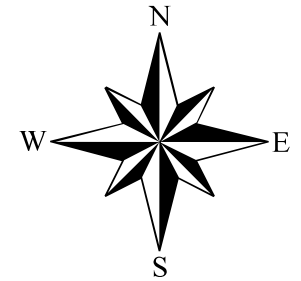
City of Northport Planning Commission

Rezoning Request

Future Land Use

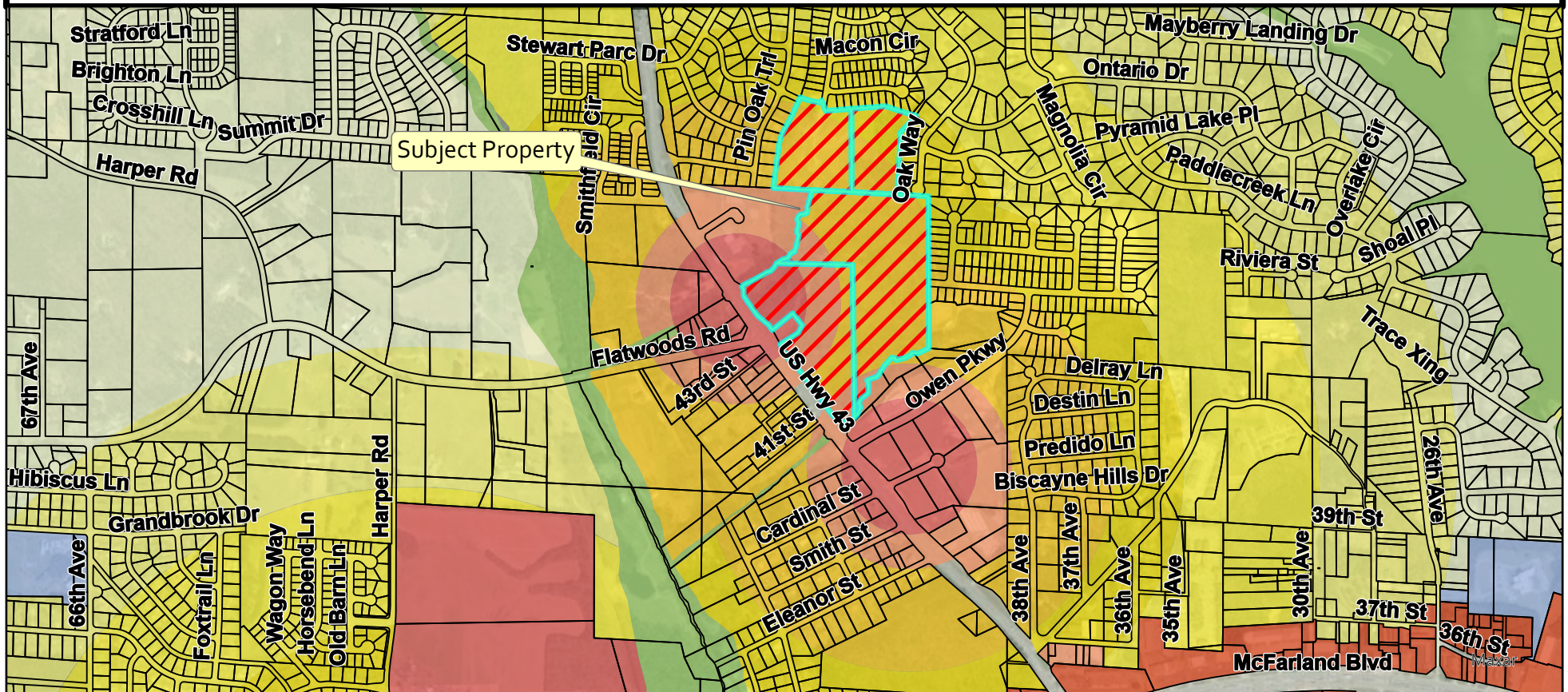
- Conservation
- Conservation Floodway
- Commercial Mix
- General Mixed-Use
- Limited Mixed-Use
- High Density Residential

- High to Medium Density Transition
- Medium Density Residential
- Medium to Low Density Transition
- Low Density Residential
- Institutional
- Utilities
- Parcels
- Parcels selection



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Subject property as
seen from Highway
43 N looking east.

Magnolia Hills West Special District Narrative

Magnolia Hills West and Northwood Gardens Phase 4 are two proposed residential subdivisions included in the Magnolia Hills West Special District Plan located in Northport, Alabama, adjacent to the existing Northwood Gardens, Northwood Estates, and Magnolia Hills subdivisions.

The future land use map recognizes this area as high density residential; defined as “single-family development at densities that exceed 5.5 units per acre” and explains that “high density residential areas are located adjacent to commercial and mixed-use nodes, where infrastructure is robust. This land use acts as a transition between nonresidential development areas and lower density residential neighborhoods”. This special district will complement the existing subdivisions to the north and the east with relatively similar sized lots. Buffers have been provided along the northeast property lines as a transition to the larger lots in Northwood estates. A stub street has been proposed to the south for access to the future commercial area along Hwy-43. For these reasons, the special district is in alignment with the comprehensive plan for growth.

This project is a combination of the final phases of the Magnolia Hills & Northwood Gardens subdivisions. The intent of this development is to deliver quality and affordability to current and incoming citizens of the area, that will also increase neighboring values and grow commercial on Highway 43. This project is intended to be a build-to-sell subdivision.

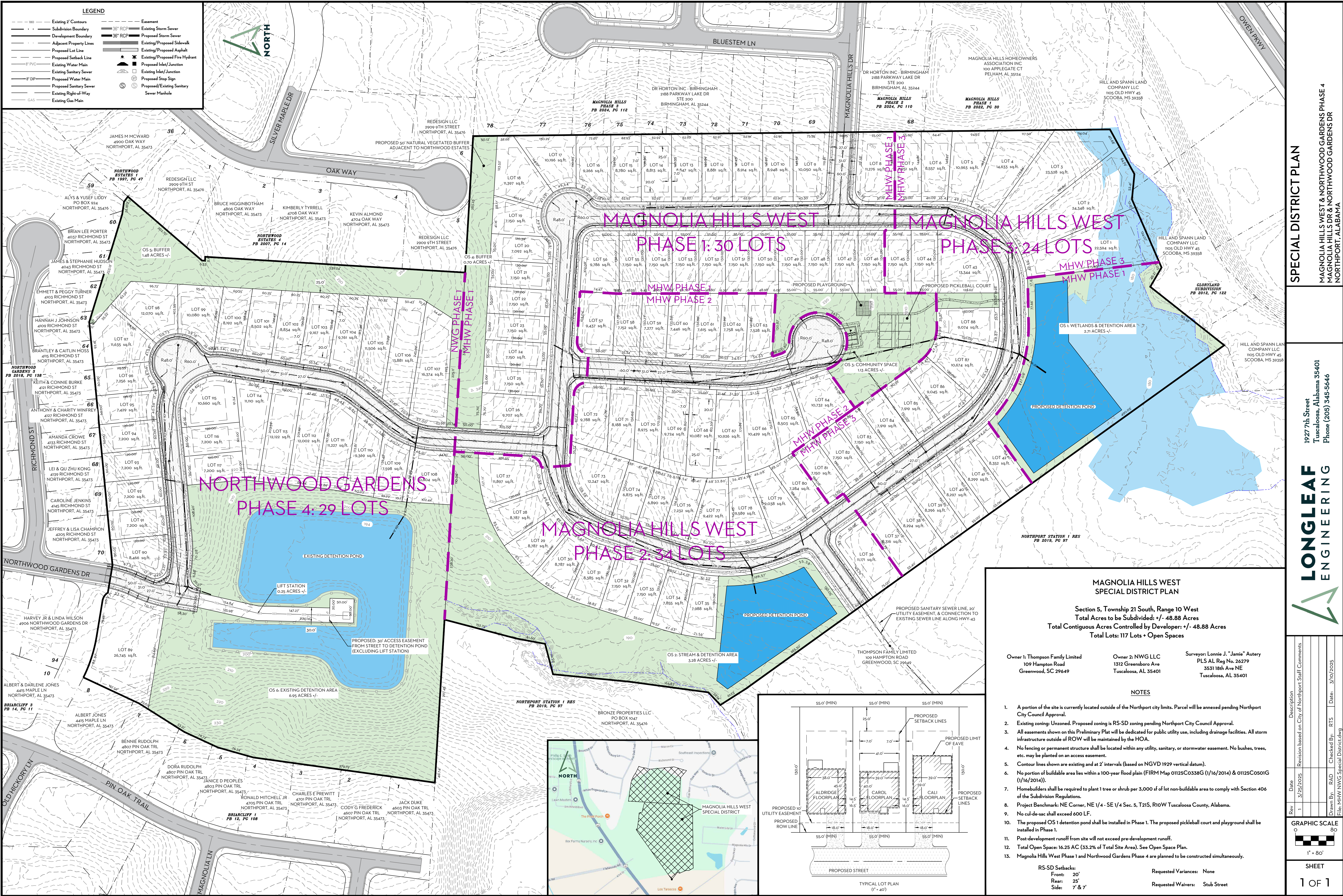
The use of a special district allows for greater flexibility in the proposed layout and the opportunity for additional open spaces and amenities- improving the quality of life of the residents. There are 117 single family homes proposed with a variety of open spaces provided throughout the entire development. Sidewalks are provided within both subdivisions and include the potential for future commercial access to the south. The proposed amenities include pickleball courts and a playground in a centralized area. Residents of both Magnolia Hills West and Northwood Gardens Phase 4 will have access to all proposed amenities and common areas. Trees will be planted lining the streets, creating a more visually appealing streetscape. Parking spaces will be provided near the main amenity area. The southern and western portions of the site include large areas of existing streams and wetlands. These areas are being preserved, and the intent is to retain the natural vegetation to the maximum extent possible. For this special district, the developer would like to request a waiver from the stub street requirement. Due to the topography of the existing right of way at Pin Oak Trail, the necessary grading and drainage improvements would extend into properties that are not under control of the developer. Therefore, a stub street to Pin Oak Trail cannot be constructed. During the previous public hearings for the Magnolia Hills West subdivision, adjacent property owners and the Planning Commission preferred no street connection be made at Oak Way. Additionally, a 50' natural vegetated buffer is proposed between the Magnolia Hills West and Northwood Estates subdivisions to serve as a transition between the two neighborhoods.

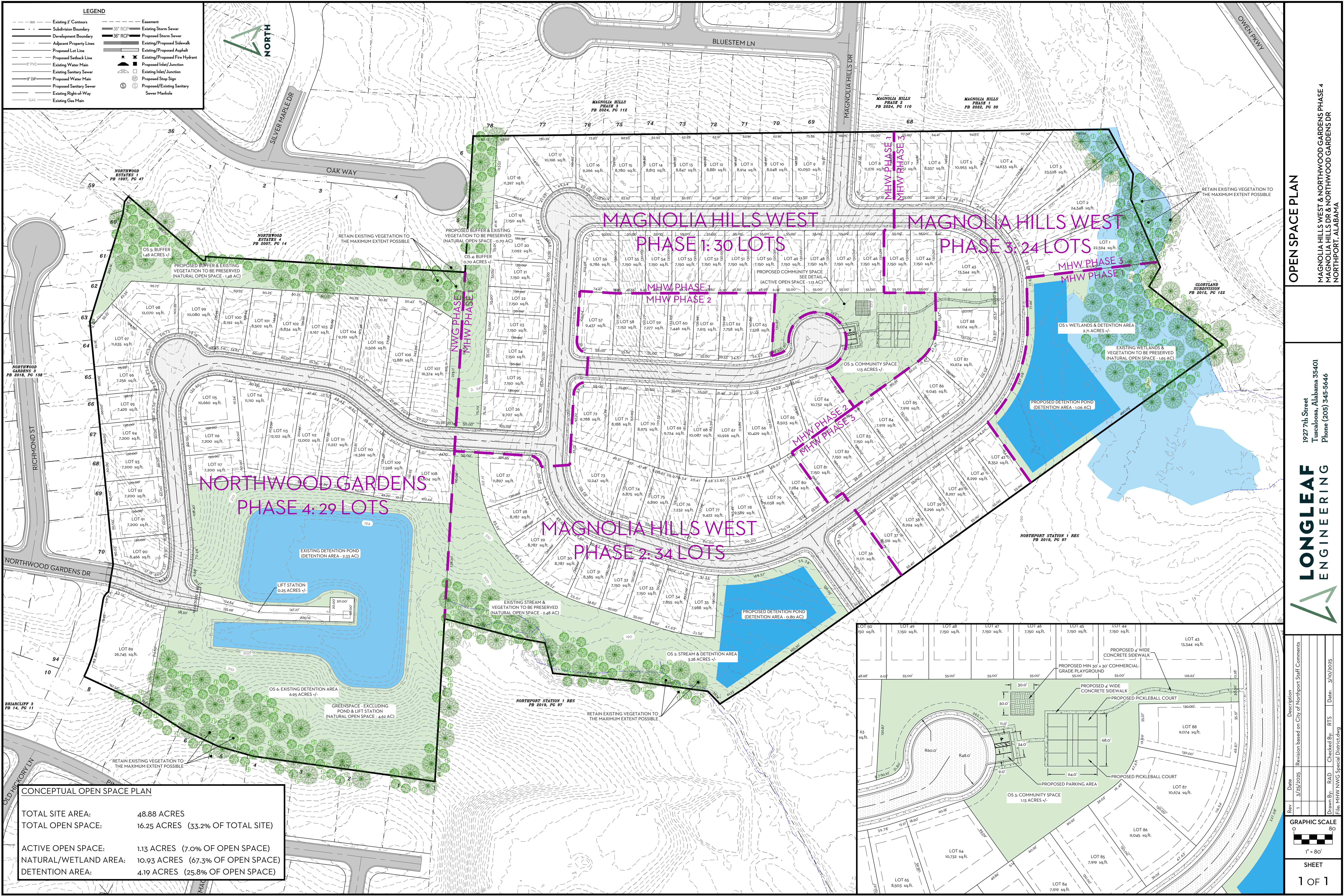
Our development plan will be completed in 3 phases, and we anticipate development to begin in mid-2026 with the last home sold in mid-2030. The intended home elevations include both fiber-cement board and masonry finishings. No vinyl siding is proposed. Single family one- and two-story homes will have 4-5 bedrooms and 2-3 baths, square footages range from 1,200 to 2,500 square feet and include two car garages with at least two additional parking spaces in the driveway. Proposed listing prices for these homes range from \$300,000 to \$400,000 and are subject to market conditions at the time they are built and sold. At this price range, the homes are priced higher per square foot than SOLD neighboring homes in the area and should increase property values. Home sales data was collected from Zillow.

Community Benefits of the Magnolia Hills West Special District (in accordance with Section 6.03.03 of the Zoning Ordinances)

1. All proposed homes will have fiber-cement board and masonry finishings. No vinyl siding is proposed. This conforms to the materials used at both Magnolia Hills and the existing phases of the Northwood Gardens subdivision.
2. The proposed garages are 20' wide, taking up less than half of the typical proposed lot. For houses with front porches, the porches will be aligned with the front yard setback and extend out further than the front of the garages. By varying the house plans and having some of the garages located behind the front setback line, the streetscape will be more visually appealing. A minimum of one tree per lot will be planted in front yards in accordance with Section 406 of the subdivision regulations. This will provide variation to the front yards and ensure that garages do not dominate public view along the streets.
3. The proposed house plans include a mix of one- and two-story homes ranging from 1,200 to 2,500 square feet. This will provide future residents a variety of home styles and sizes for all stages of life. For example, the proposed house plans include a 1,300 square foot plan that could serve as a first-time homebuyer, a 1,774 square foot plan that can serve as a "move-up" and then a 2,511 square foot plan to serve as a potential "forever home", along with plans in the "in-between".
4. A 1.13-acre community space is proposed in the center of the Magnolia Hills West subdivision. This area includes two full-sized pickleball courts, a commercial-grade playground, a parking area, and sidewalks throughout. This community space will be accessible to residents of both Magnolia Hills West and Northwood Gardens Phase 4. Sidewalks are provided throughout both subdivisions for pedestrian access. In addition to this community space, approximately 11 acres of natural/wetland areas are being proposed. These areas will preserve existing wetland and stream areas and serve as buffers to the adjacent neighborhoods. Existing vegetation will be preserved to the maximum extent possible.
5. Sidewalks are proposed within both subdivisions and connect to the existing sidewalk networks at Magnolia Hills and Northwood Gardens. Sidewalks are also proposed at the stub street to the south for pedestrian access to future commercial development. This proposed sidewalk network not only benefits this special district, but also the adjacent subdivisions.

In Northport's future land use plan, this site is designated as "high density residential" / "multifamily residential". We are presenting a medium-density residential plan that mirrors lot sizes to the east and to the north. The community benefit will be providing new, quality housing for Northport residents that is attainable. This will help spur commercial growth on Highway-43 and provide amenities for residents to enjoy and connect with their neighbors. Additionally, there is a community benefit to the Northwood Gardens Phase 1-3 residents. Currently, Northwood Gardens does not meet the city's fire code, and this new plan would provide a secondary entrance. In the case of an emergency, the Northwood Gardens residents will now have two accesses if a situation of evacuation were needed.



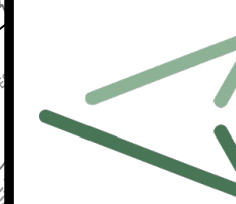


OPEN SPACE PLAN

MAGNOLIA HILLS WEST & NORTHWOOD GARDENS PHASE 4
MAGNOLIA HILLS DR & NORTHWOOD GARDENS DR
NORTHPORT, ALABAMA

1927 7th Street
Tuscaloosa, Alabama 35401
Phone (205) 345-5646

LONGLEAF
ENGINEERING



Rev	Date	Description
1	3/25/2025	Revision based on City of Northport Staff Comments

Drawn By:	Rev:	Checked By:	RTS	Date:	3/10/2025
RAD					

File: MHW-NWG-Special District.dwg

GRAPHIC SCALE
0 80
1" = 80'

SHEET
1 OF 1

Magnolia Hills Citizen Communications

QUESTIONS FOR APRIL 8TH MEETING

It is of utmost importance that ALL adjacent property owners and affected residents are guaranteed that ALL required studies and feasibility aspects to ANNEX and RE-ZONE the proposed properties have been fulfilled and complied with in regards to Local, City, County, State and Federal Regulations. Not just hear say/hand shake; actual sealed documents.

Northwood Gardens Dr.:

1. Will current road stay a deadend street with barrier of some sort?
2. Barrier constructed to left of 4906 Northwood Gardens Property?
3. Access to current retention pond area?
4. Access to City of Northport sanitary pumping station?
5. Will current pumping station as in #4 above handle additional sewage within regards to GPM and head?
6. Will this road be used to access new Annexed and Re-zoned property? Think about all traffic/safety and concerns of Fire Dept and Emergency vehicles.
7. How will ALL of storm water be handled? There are a total of 6 covered/uncovered discharges currently going to the retention pond area with one outlet at end of retention pond.

NWG/NWE and some of Briar Cliff residents:

1. NWE Dr. is used by most, if not all residents, from NWG/NWE and some from Briar Cliff. There is no traffic light at NWE Dr. and Route 43 currently. It takes a considerable amount of time to enter onto 43 esp. during both rush hour times and you actually put your life in everyone's hands going N or S. (Does someone have to be killed before action is taken to improve safety?)
2. Some road surfaces in NWG, some in NWE and esp. Briar Cliff are crumbling and in disrepair. Are there any actions to be taken to remedy these conditions as MORE traffic will

greatly degrade our daily commute not to mention our vehicle conditions. There are various simple solutions to these conditions which could resolve this issue.

Richmond Street:

1. Will a barrier of some sort be constructed between the adjacent backyards and the new Annexed and Re-Zoned property?

General Concerns:

Where will all Utilities come from?

1. For example: Some of NWG already has a separate feed from Alabama Power as original wire size and length of run was not sufficient for ALL of Phase 3 construction.
2. City water pressure to residents homes in NWG has already been increased over original pressure when built as many of us have added PRVs after the meter to obtain acceptable in house pressure of desired 60/65 psi +/- from the current 80 to 100 psi street pressure . This pressure has been increased to provide for acceptable delivery pressure to residents further from the originating source.
3. Speeding, not obeying stop signs and abstracted driving in NWG is an issue. More traffic especially on NWG Dr. will cause safety issues with the elderly and families with young children who enjoy walking and riding scooters.

Guess no one has considered the values of current homes adjacent to the forementioned property being discussed as the amount of homes to be built by a “not so reputable company” will be disastrous for current property owners.

**ACTUAL SURVEY (Mid-April 2025): VEHICULAR TRAFFIC
PATTERNS IN and OUT OF NORHTWOOD GARDENS and
NORTHWOOD ESTATES USING NORTHWOOD GARDENS DR. and
NORTHWOOD ESTATES DR. to gain access to and from **ROUTE 43****

The **highlighted** survey, which is an actual count, does not include the hours from 8 am to 3 pm Monday through Friday or ALL-day Saturday and Sunday. It is estimated that between the hours, not surveyed, the traffic flow is **75%, if not more**, of the total flow surveyed, due to the Community activity along with the commercial traffic

4/14/25 (MON)	5 am to 6 am	22	3 pm to 4 pm	80	Total Daily flow 546 Average
	6 am to 7 am	20	4 pm to 5 pm	60	
	7 am to 8 am	51	5 pm to 6 pm	79	
	Total 93		Total 219		
4/16/25 (WED)	5 am to 6 am	21	3 pm to 4 pm	81	Total Daily flow 602 Average
	6 am to 7 am	23	4 pm to 5 pm	69	
	7 am to 8 am	65	5 pm to 6 pm	85	
	Total 109		Total 235		
4/18/25 (FRI)	5 am to 6 am	11	3 pm to 4 pm	79	Total Daily flow 446 Average
	6 am to 7 am	11	4 pm to 5 pm	53	
	7 am to 8 am	37	5 pm to 6 pm	64	
	Total 59		Total 196		
4/22/25 (TUE)	5 am to 6 am	23	3 pm to 4 pm	80	Total Daily flow 565 Average
	6 am to 7 am	22	4 pm to 5 pm	57	
	7 am to 8 am	58	5 pm to 6 pm	83	
	Total 103		Total 220		
4/24/25 (THURS)	5 am to 6 am	23	3 pm to 4 pm	83	Total Daily flow 590 Average
	6 am to 7 am	21	4 pm to 5 pm	68	
	7 am to 8 am	60	5 pm to 6 pm	82	
	Total 104		Total 233		

The ACTUAL and ESTIMATED vehicle traffic flow in/out of Northwood Gardens and Northwood Estates via the above-mentioned streets shows very active established Communities.

Average 5-day flow is 550 vehicles per day (includes Easter Friday).

More flow from the proposed ANNEXATION and RE-ZONING of property, using the same streets, will exceed and potentially double the present flow depending on resident and community activity adding to more congestion and a busy intersection at **Route 43** with **NO** current traffic light control.

CONCERNS FOR NORTHWOOD GARDENS, NORTHWOOD ESTATES AND NORTHWOOD LAKE COMMUNITIES DUE TO PROPOSED ANNEXATION and REZONING REQUESTS by LONGLEAF ENGINEERING

Current proposal in front of the City Planning and Zoning Commission as I understand, to date, is to build a total of 117 single family homes to the South of Northwood Gardens Dr. 29 homes to be built East of the current retention pond and City of Northport sewage pumping station at the end of Northwood Gardens Dr. These 29 homes will be labeled Northwood Gardens Phase IV and presumably be part of Northwood Gardens? Plans show that the retention pond that Northwood Gardens now is responsible for will be used by the new 29 home project for storm water control and in addition to using the current sewage station. (As of this memo to you, Planning and Zoning Commission, the seller of the named Northwood Gardens Phase IV property has denied that this property will be attached to Northwood Gardens and he denies knowing anything about the issue at hand. This I know is not true). If it actually is part of Northwood Gardens then the HOA rules/by-laws, should by law, have to be followed. **NO** 2 story homes are presently built in Northwood Gardens. If the 29 homes were to be 2 story it would look rather tacky. Furthermore, these homes should pay a fee to maintain the retention pond as we do in Northwood Gardens. If these 29 homes are not a part of Northwood Gardens, then the access to them should not be through Northwood Gardens i.e. Northwood Gardens Dr. which does not presently go through. This road should be permanently closed off except for City access to the pumping station and retention pond area. The barrier device should prevent any vehicular traffic. Displacement of ALL pine trees will occur, and homes will overlook the pond/sewage station. Another 88 homes will be built to the South and join these 29 and labeled Magnolia Hills West. These 88 homes will merge with Magnolia Hills currently built and under construction by D R Horton.

Proposed vehicle and home access to the first 29 homes will be through Northwood Gardens Dr. which currently does not go through as mentioned. Access to the additional 88 homes will be via Magnolia Hills Dr. which has already been constructed when D R Horton started building homes in the new subdivision of Magnolia Hills near Los Tarascos Restaurant. Additionally, there will be access to the 88 homes through the first 29 homes via Northwood Gardens Dr. as they will be connected per plan. **NO**

other entrance/exit is planned (as the plan shows). Previous proposed access through Pin Oak Trail in Briar Cliff and Oak Way in Northwood Estates was not preferred or adopted at an earlier Planning Meeting. **City has a map showing ALL of the proposed plans.**

WHAT DOES THIS MEAN FOR RESIDENTS OF NORTHWOOD GARDENS and the OTHER COMMUNITIES

1. Simple math says that traffic will drastically increase!
Possibilities of traffic flow are as follows:
Additional vehicles of at least 29 minimum and up to 117 daily will travel in/out of Northwood Gardens via Northwood Gardens Dr. and Northwood Estates Dr. to gain access to Route 43; an intersection with **NO** current traffic control. If there are 2 working residents in each new home then this figure doubles. A current daily traffic survey has been done, and is attached.
If ALL 117 homes use Northwood Gardens Dr. this would be an additional 468 vehicular trips per day at minimum. This figure cut in half is still 234 trips daily plus all present local traffic. Granted, some traffic will use the other entrance/exit as noted in paragraph 2 above.
2. Speeding and disobeying stop signs exist now on Northwood Gardens Dr. and in Northwood Gardens where the speed limit is 25 mph per City code. More traffic, more speeders, more disobeying stop signs and more safety concerns will be the way of life for ALL.
3. Safety is of utmost concern for **ALL** in Northwood Gardens.
4. If the proposed plan is approved by the City, the construction traffic, dirt, and noise will be with us for at least 4 years (2026-2030). The majority of this traffic will use Northwood Gardens Dr. from Route 43. What will the heavy equipment due to our roads that already show signs of wear?
5. **Developers and Contractors** do not care about us.
Their motto is **"Just get the job done and move on to another job"**.

NOTE: It is of the utmost importance, if the current proposal is accepted by the City, that ALL of the adjacent property owners and residents are guaranteed that ALL required studies and feasibility aspects to ANNEX and RE-ZONE the proposed properties have been fulfilled and complied within regards to Local, City, County, State and

Federal regulations. This includes traffic control! As of this flyer, ALL of these criteria have not been met, thus the continuance.

WE, in the surrounding Communities hope that the City of Northport looks through **OUR EYES** and understands what type of impact these proposals, as they stand, will have on **OUR** present way of living in **OUR** Communities in Northport, AL.

Please make this information a part of the package being discussed before and on May 13, 2025 meeting being held in the Chambers.

Katelyn Lesley

From: Yusef Liddy / Alys Liddy <zliddy@yahoo.com>
Sent: Friday, May 2, 2025 11:26 AM
To: Planning
Subject: NORTHWOOD GARDENS RE-ZOINING

I currently live at 4031 Richmond Street (Northwood Gardens. I am so disappointed that we sold our house in Biscayne Hills of 45 years, to get our dream home and now it will be completely a nightmare. I understand developers have deep pockets and do not care about the communities they destroy, but this is such a disappointment.

PLEASE, protect this community and stop the overwhelming traffic and influx of people that this re-zoning will have on OUR neighborhood.

Thanks,

Alys Liddy

City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: S-25-5 Harper Road Condominiums

Applicant: Sentell Engineering

Location: 5610 Oak Park Circle

Request: Preliminary Plat

Sentell Engineering is requesting preliminary plat approval for approximately 3.51 acres located at 5610 Oak Park Circle. The current site consists of an undeveloped lot that is zoned Residential Multifamily (RM). The applicant is proposing a 35-lot townhome development. **The applicant has indicated that they intend to request this case be withdrawn.**

The following waivers are requested with this plat:

- **Stub streets.** The subdivision regulations require stub streets to connect to unplatted land at intervals between 400 and 1200 feet. Roads within townhouse developments are required to be privately owned and maintained. Therefore, there are no public streets proposed to connect to a stub street.

The zoning ordinance stipulates that each townhouse must have a minimum lot size of 2,000 square feet. It further requires that parking for townhouses be provided either via rear-alley driveways or within a commonly owned parking area. As currently shown on the plat, the lot lines include square footage from parking spaces in calculating the minimum lot size. This approach does not comply with the requirements of the zoning ordinance.

Additional notes from Engineering :

- Harper Road is classified as a collector. Minimum driveway spacing is 300', which includes the adjacent driveway to south. Any waiver of this standard requires approval of the City Engineer. Traffic impact report is needed prior to consideration for a waiver by the City Engineer. The layout of the subdivision would be impacted if the waiver is not approved.
- Sanitary sewer is required to be located within roadway and should not be located in backyards as proposed on the preliminary plat. It also appears sewer cannot be connected to existing sewer to the south without an additional easement. Without written confirmation from the adjacent property owner, the ability to construct the sewer as proposed is not clear.

The property is surrounded by a retail developments zoned Commercial Highway (C-6) to the south and east, a single-family detached neighborhood zoned Residential Single-Family (RS-1) and an undeveloped parcel that is not in the City limits but is in the planning jurisdiction to the north, and by a single family detached residence on a parcel not in the City limits but in the planning jurisdiction to the west.

The future land use plan within Northport Compass shows this area as “Limited Mixed-Use”. The property is currently zoned as Residential Multifamily, which permits this use by right. The proposed development is not in conflict with the comprehensive plan.

Any action on this item will require 6 affirmative votes. Should this agenda item fail, the reasons for any non-affirmative votes must be stated on the record.

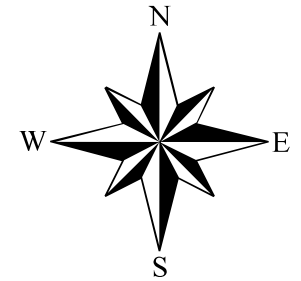
City of Northport Planning Commission

Preliminary Plat

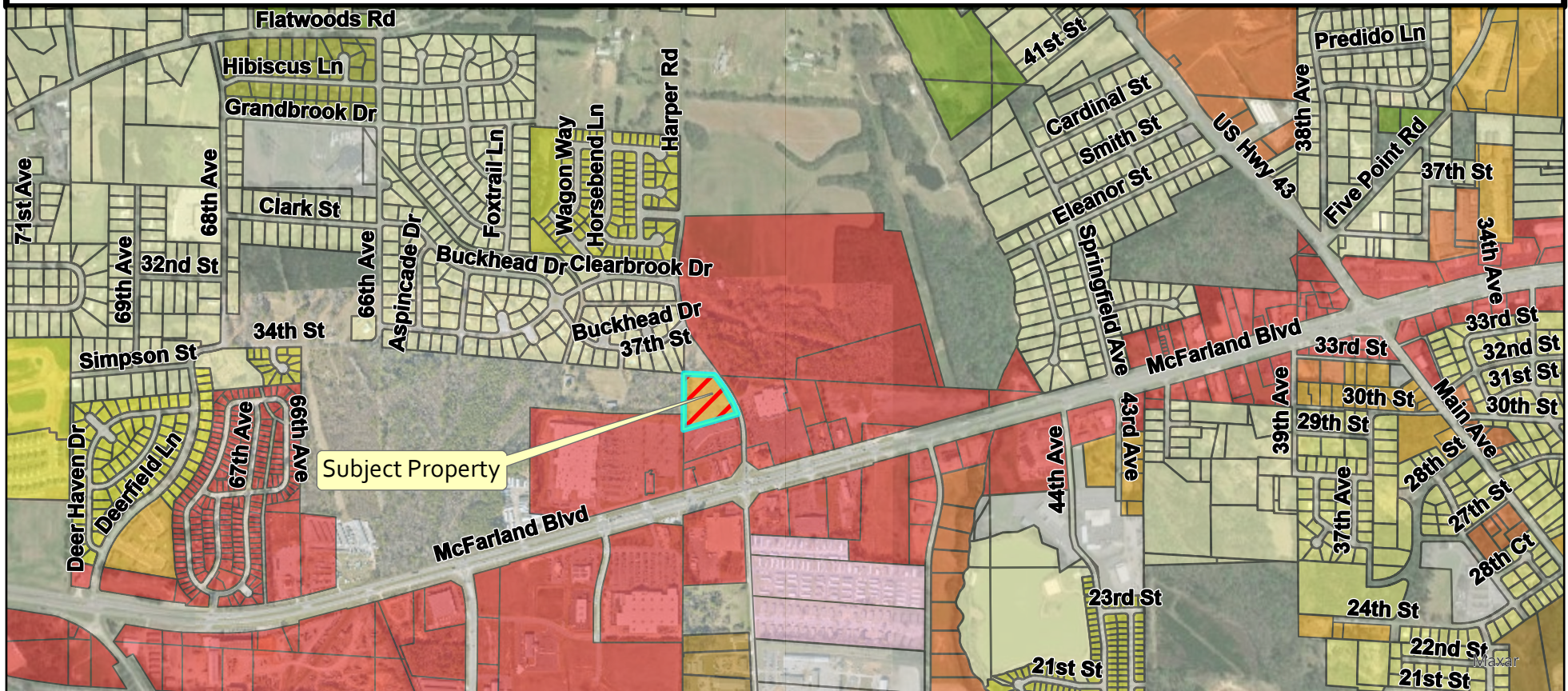
Zoning

- | | |
|---|---|
|  Agriculture |  Office and Institutional |
|  Neighborhood Commercial |  Residential Multi-Family |
|  General Commercial |  Special District |
|  Commercial Highway |  Residential Single-Family - 1 |
|  Light Industrial |  Residential Single-Family - 2 |
|  Mobile Home Park |  Residential Single-Family - 3 |
| |  Residential Single-Family - 4 |
| |  Subject Property |

0 500 1,000 2,000
Feet

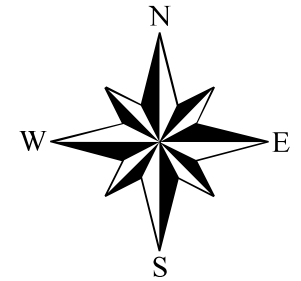


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City of Northport Planning Commission

Preliminary Plat



Parcels

□ Parcels

Future Land Use

■ Conservation

■ Conservation Floodway

■ Conservation Development

■ Commercial Mix

■ General Mixed-Use

■ Limited Mixed-Use

■ Multifamily Residential

■ High Density Residential

■ High to Medium Density Transition

■ Medium Density Residential

■ Medium to Low Density Transition

■ Low Density Residential

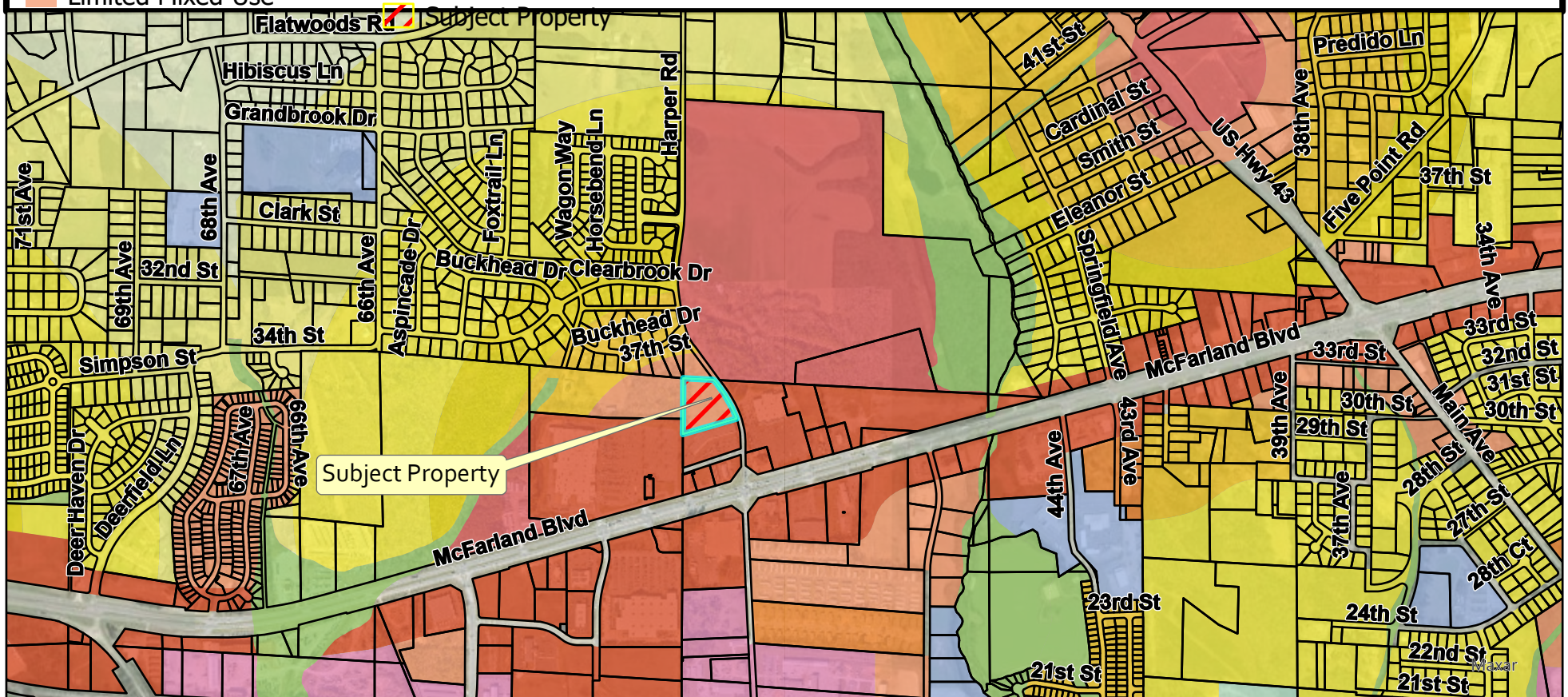
■ Office-Trades Mix

■ Institutional

■ Utilities

0 1,000 2,000 4,000 Feet

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Subject property as
seen from Harper
Road looking west.



Google

N:\2017\17-126 Yang SUBD\17-126 Preliminary Plat.dwg

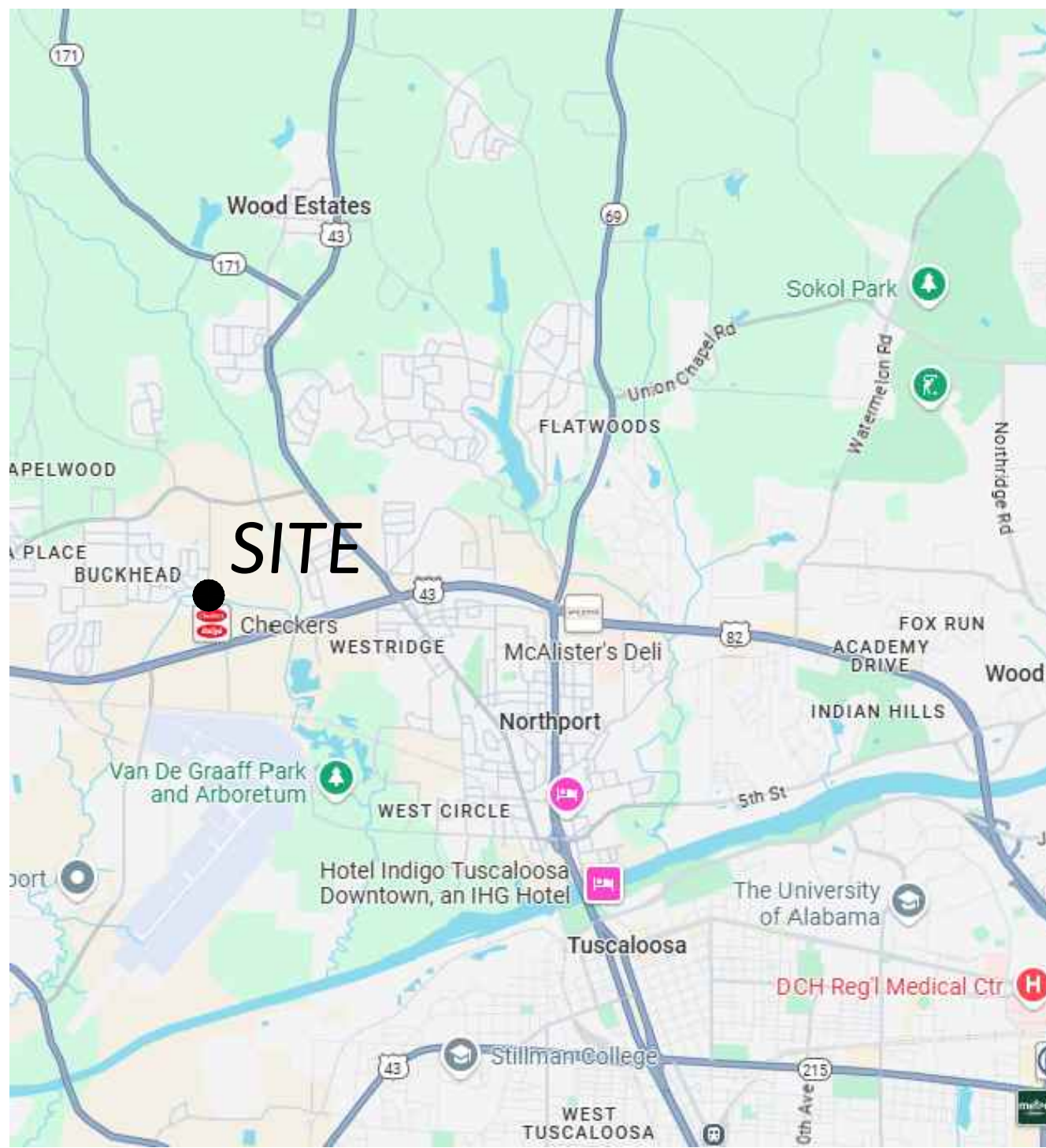
LEGEND

- IRON PIPE/PIN FOUND (IPF)
- CAPPED PIPE/PIN SET (CPS)
- CAPPED PIPE/PIN FOUND (CPF)
- CONC. MONUMENT FOUND (CMF)
- POINT NOT MONUMENTED
- NORTH
- SOUTH
- EAST
- WEST
- RECORD BOOK - DEED AND/OR PLAT
- FRONT SETBACK LINE
- RIGHT OF WAY
- PLAT BOOK
- DEED BOOK
- PAGE
- EXISTING FENCE (TYPE)
- SECTION LINES
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING GUY WIRE

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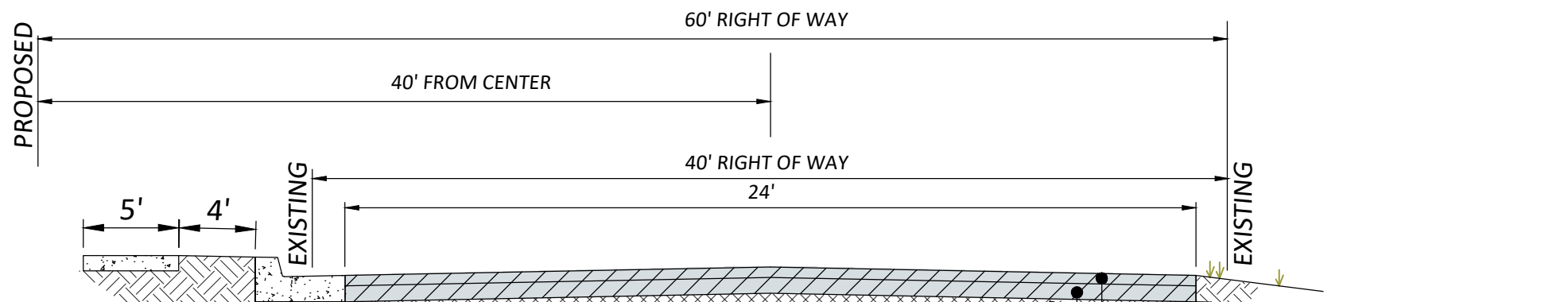
PRELIMINARY PLAT



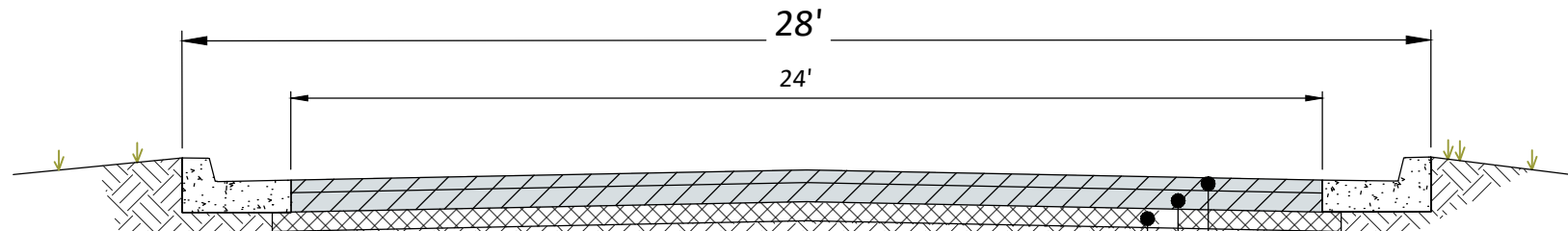
VICINITY MAP

NOTES:

- OWNER/ DEVELOPER: QIUFENG WU & CHANG XI YANG
09 GARDEN DRIVE
TUSCALOOSA, AL 35406
- SOURCE OF TITLE: D.B. 2017, PG. 1659
- TOTAL ACRES OWNED/DEVELOPED: 3.51 ACRES±
- WAIVERS REQUESTED: NONE
- THE PROPERTY IS LOCATED WITHIN THE CITY LIMITS AND IS ZONED RESIDENTIAL MULTI-FAMILY (RM), SETBACKS ARE AS REQUIRED IN SECTION 7.45 OF THE ZONING ORDINANCE FOR TOWNHOUSES.
- THE PROPERTY DOES NOT FALL WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY. LISTED AS ZONE X ON PANEL NUMBER 01125C0501G EFFECTIVE DATE: 1/16/2014.
- THE NORTH ARROW AND BEARINGS SHOWN ARE BASED ON GRID NORTH.
- ALL LOTS IN THIS SUBDIVISION WILL BE SERVED BY CITY SEWER AND WATER
- ALL EASEMENTS, EXCEPT THOSE IDENTIFIED AS PRIVATE, SHOWN ON THIS PLAT ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, AND STORM DITCHES, AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION. NO PRIVATE UTILITY, INCLUDING PRIVATE SANITARY SEWER LINES, THAT RUN ALONG THE PUBLIC UTILITY EASEMENT SHALL BE INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT, BUT MAY BE PERMITTED TO CROSS PERPENDICULAR TO THE EASEMENT. NO PERMANENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DESIGNATED EASEMENT. FENCES OR SHRUBBERY PLACED WITHIN AN EASEMENT ARE SUBJECT TO REMOVAL WITHOUT COMPENSATION AT THE CONVENIENCE OF THE CITY OR COUNTY.



TYPICAL SECTION OF HARPER ROAD HALF STREET IMPROVEMENTS PLANNED



TYPICAL SECTION OF STREETS A, B & C IMPROVEMENTS PLANNED

HARPER ROAD CONDOMINIUMS

CITY OF NORTHPORT, ALABAMA

DESCRIPTION:

DATE:

NO.

DRAWN :

CGS

CHECKED :

GLS

DATE :

01/2023

JOB NO :

17-126

SHEET :

1 OF 2

City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: S-25-8 Phifer UCR Subdivision

Applicant: Duncan Coker and Associates

Location: 1020 Union Chapel Road

Request: Preliminary Plat

Duncan Coker and Associates are requesting preliminary plat approval for approximately 11.8 acres located at 1020 Union Chapel Road. The current property consists of four unincorporated parcels containing two single-family residences and an office-warehouse development. The proposed plat would reconfigure the properties into 3 lots and would remove some building encroachments across property lines.

The applicant is requesting the following waivers:

- **Sidewalks** - The subdivision regulations require that sidewalks be constructed along all right-of-way frontages. The applicant is requesting that this be waived due to a lack of adjoining sidewalks to connect to. Sidewalks for this portion of Union Chapel Road are not proposed in the City's Comprehensive Plan or the MPO's Bicycle and Pedestrian Plan. Lower Forty Road is a County Road. Tuscaloosa County has provided written support for the waiver of sidewalks on Lower Forty Rd.
- **Half-street improvements** – The subdivision regulations require all public right-of-way to have curb and gutter. The applicant has requested that this be waived. This portion of Union Chapel Road is already a full-width roadway and there is no curb and gutter in the immediate area. Lower Forty Road is a County Road. Tuscaloosa County has provided written support for the waiver of half-street improvements on Lower Forty Rd.
- **Capped Sewer** - The subdivision regulations require that all lots have capped sewer laterals installed. Since there is no public sewer to connect to, and the existing buildings are served by on-site septic, the applicant is requesting that this requirement be waived. The nearest sewer is on Watermelon Road at The Flags Office Park, and the City has no plans to extend sewer down this portion of Union Chapel Rd. at this time.

The site is surrounded to the north, east, and west sides by unincorporated single family detached residences (no zoning), and to the south across Union Chapel Road by an unincorporated contractor storage yard (no zoning). This property is located outside of the city limits of Northport but is within its planning jurisdiction.

The future land use map contained within Northport Compass shows this property as a mixture of “High Density Residential” and “High to Medium Density Transition”. While the nonresidential portion of this plat does not align with the comprehensive plan, that portion of the property is already built and in use. There is no new development proposed that would be conflict with the comprehensive plan.

Any action on this item will require 6 affirmative votes. Should this agenda item fail, the reasons for any non-affirmative votes must be stated on the record.

City of Northport Planning Commission

Preliminary Plat

Zoning

 Agriculture

 Neighborhood Commercial

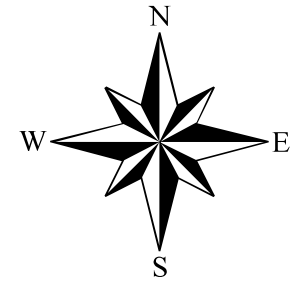
 General Commercial

 Special District

 Residential Single-Family - 1

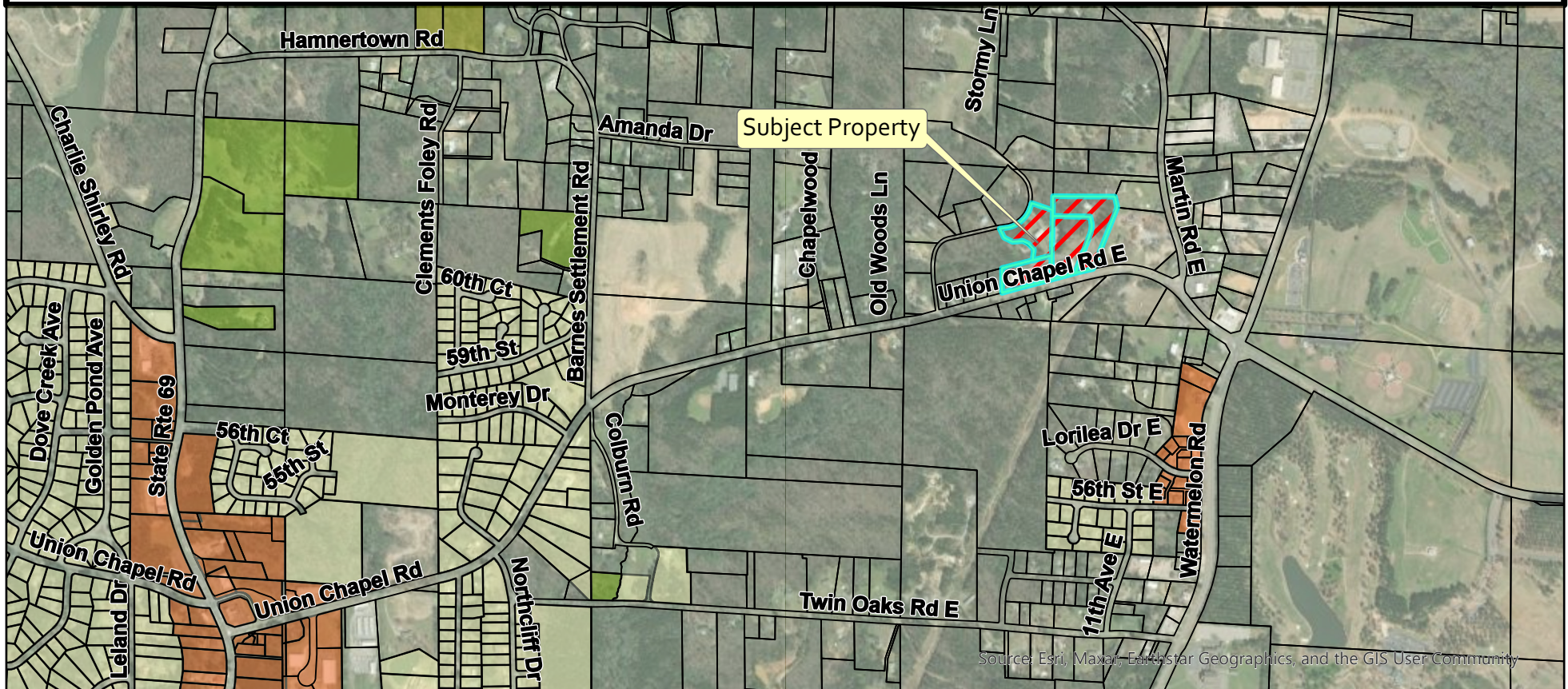
 Parcels

 Parcels selection



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 1,000 2,000 4,000
Feet



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

City of Northport Planning Commission

Preliminary Plat

Future Land Use

Conservation Floodway

General Mixed-Use

Limited Mixed-Use

High Density Residential

High to Medium Density Transition

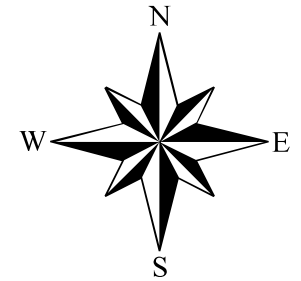
Medium Density Residential

Medium to Low Density Transition

Low Density Residential

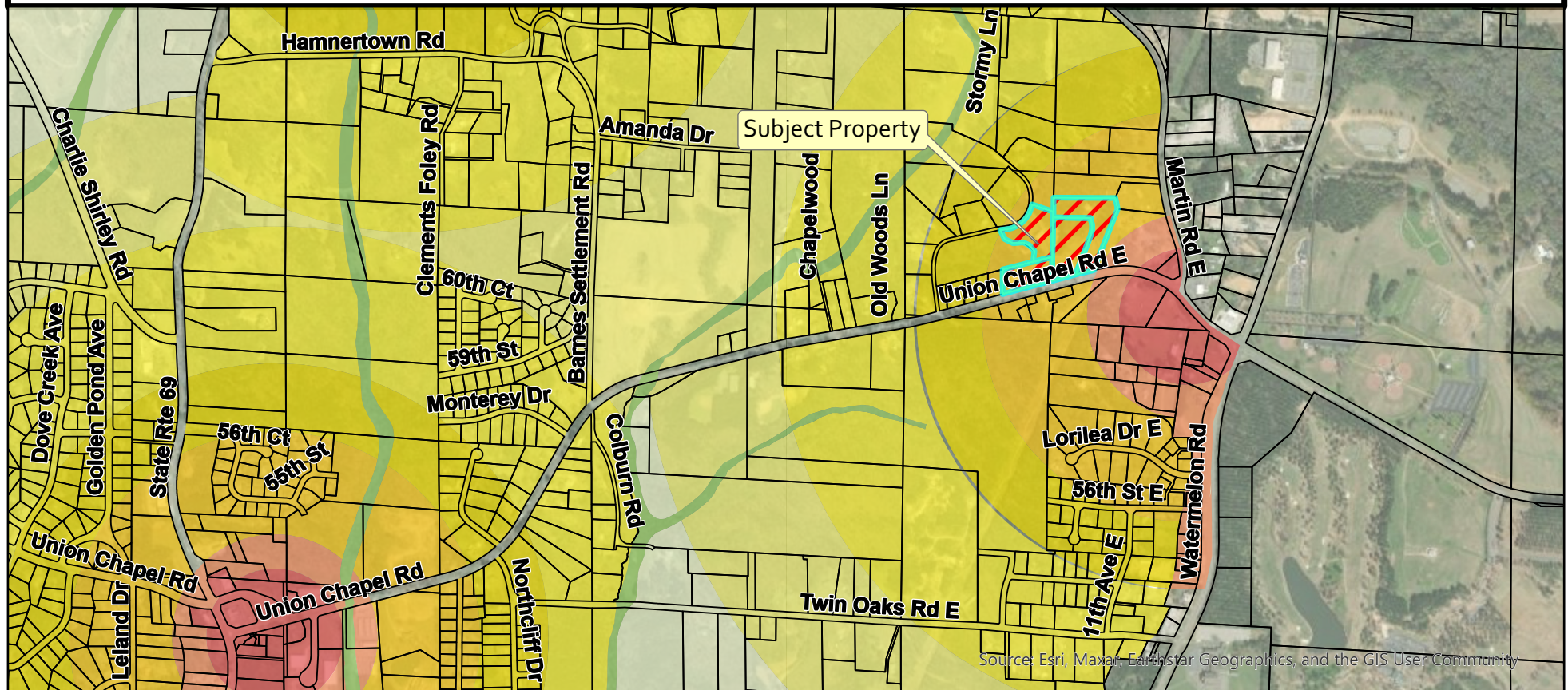
Parcels

Parcels selection



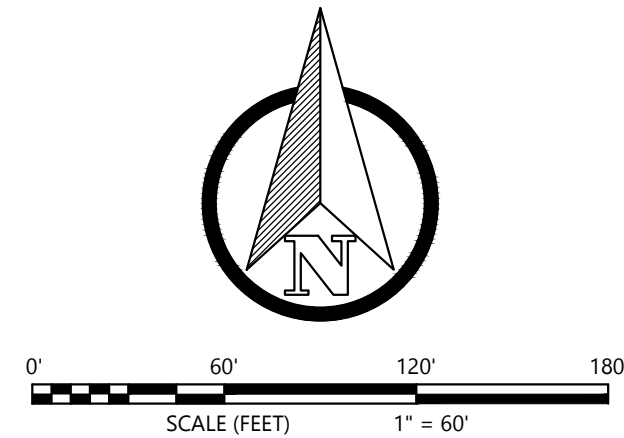
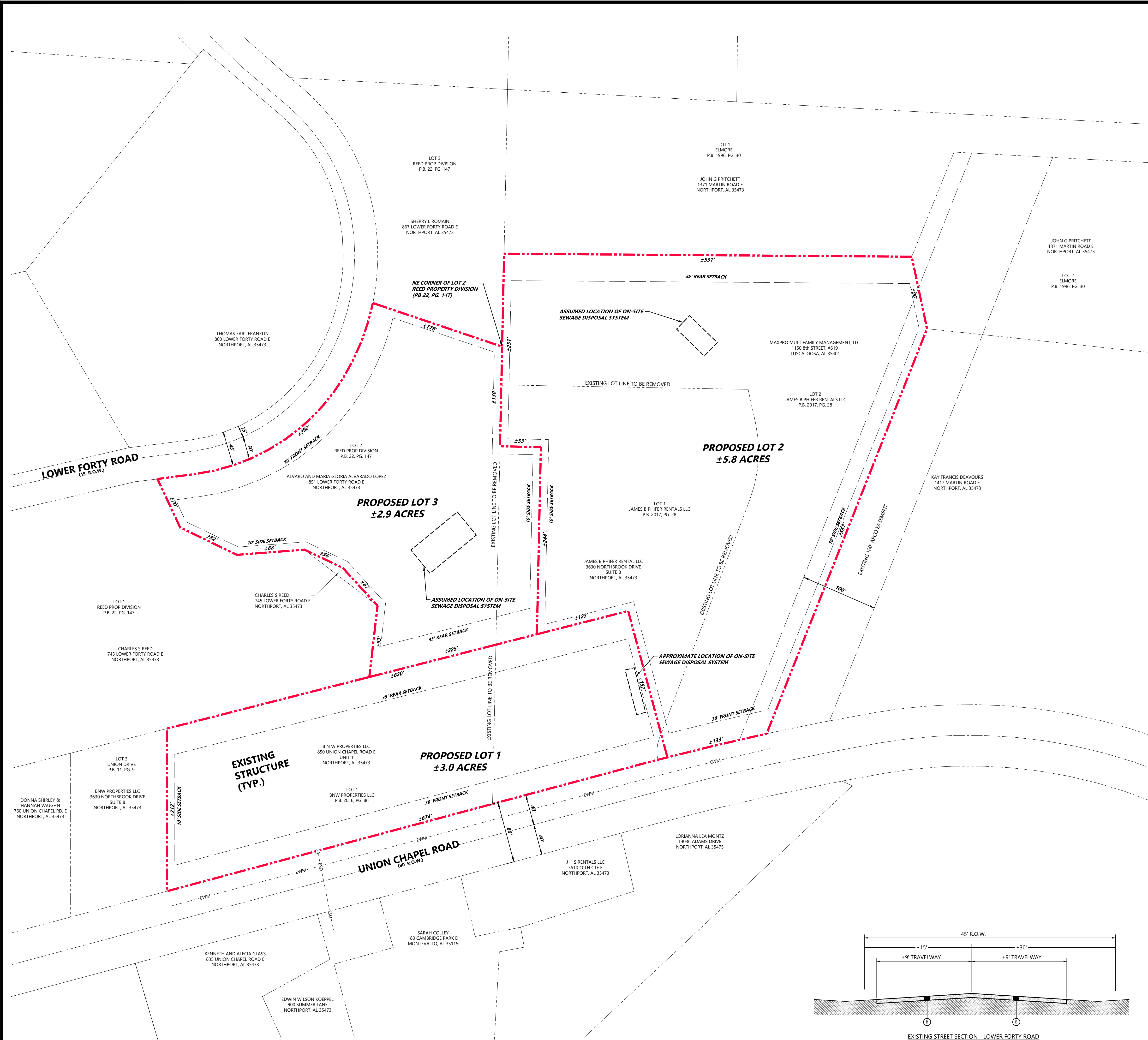
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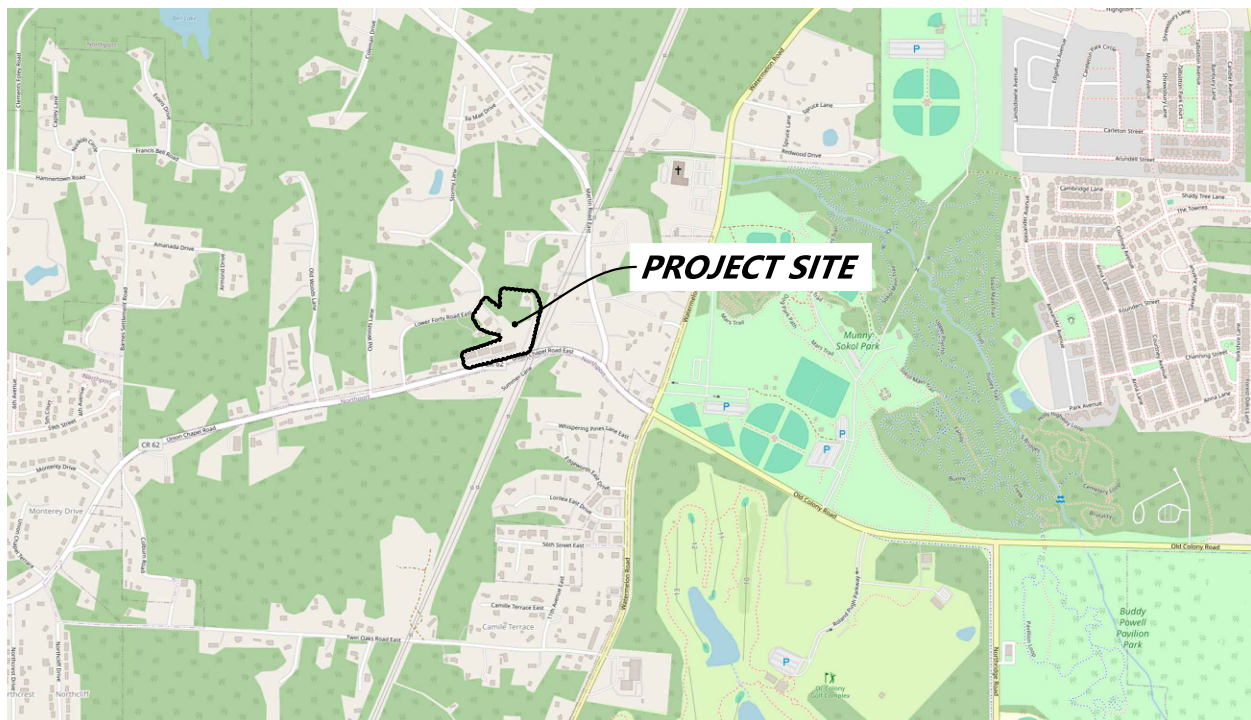


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Subject property as seen
from Union Chapel Road
looking north.



SYMBOLS LEGEND	
---	EXISTING CONTOUR LINE (10 FOOT INTERVAL)
- - -	EXISTING CONTOUR LINE (2 FOOT INTERVAL)
---	EXISTING SANITARY SEWER
---	EXISTING STORM SEWER
(SS)	EXISTING SANITARY SEWER MANHOLE
(S)	EXISTING STORM DRAIN MANHOLE
---	EXISTING RIGHT-OF-WAY LINE
---	PROPOSED LOT LINE
P.B.	PLAT BOOK
D.B.	DEED BOOK
PG.	PAGE
[Pattern]	EXISTING ASPHALT SURFACE
[Pattern]	EXISTING CONCRETE SURFACE
[Pattern]	EXISTING CRUSHED STONE SURFACE



APPLICANTS/OWNERS:

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850 UNION CHAPEL ROAD EAST UNIT 1
NORTHPORT, AL 35473

MAXPRO MULTIFAMILY MANAGEMENT, LLC
1150 8th STREET, #619
TUSCALOOSA, AL 35401

JAMES B. PHIFER RENTALS, LLC
3630 NORTHBROOK DRIVE SUITE B
NORTHPORT, AL 35473

ALVARO AND MARIA GLORIA ALVARADO LOPEZ
851 LOWER FORTY ROAD EAST
NORTHPORT, AL 35473

VARIANCE REQUESTS:

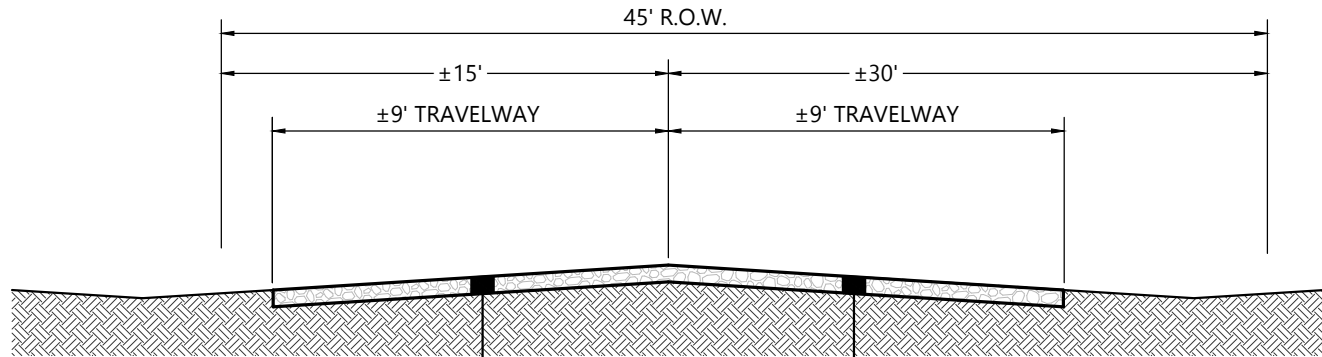
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SURVEYOR:

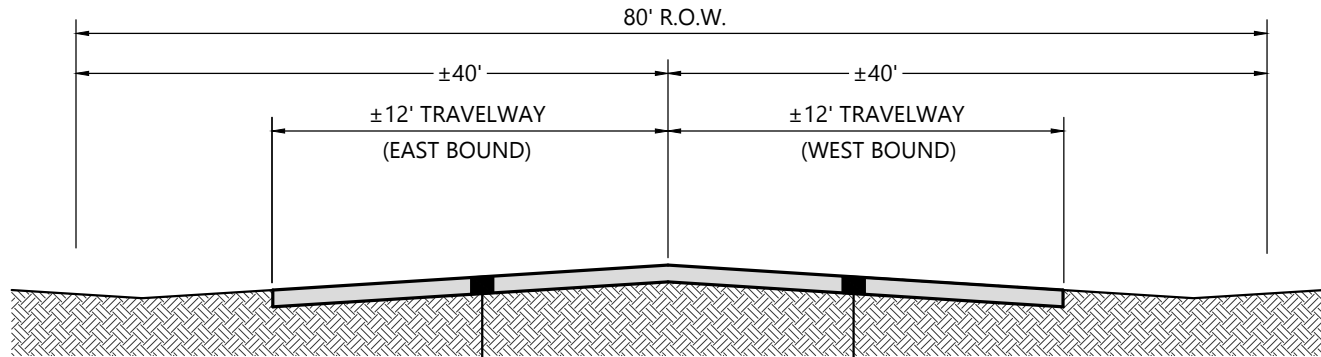
JAMES L. DUNCAN, JR. PE/PLS (AL PLS LICENSE NO. 23657)
DUNCAN COKER ASSOCIATES, P.C.
201 TOWNCENTER BOULEVARD
TUSCALOOSA, AL 35406

NOTES:

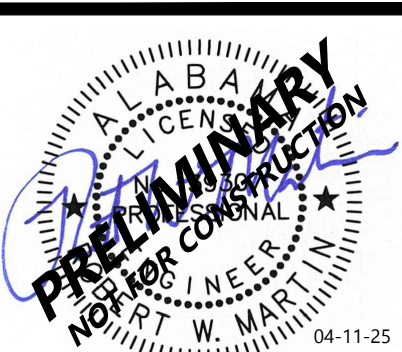
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- TOTAL PROPERTY UNDER CONTROL OF THE OWNERS = 11.84 Ac.±
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- PROPERTY IS SERVED BY CITY OF NORTHPORT WATER AND ON-SITE SEWAGE DISPOSAL.
- NONE OF THE SUBJECT PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA, AS PER FEMA FLOOD MAP No. 01125C0343G, EFFECTIVE DATE 1/16/14.
- THIS PLAN IS BASED ON AERIAL MAPPING AND DOES NOT CONTAIN FIELD-RUN DATA.
- EXISTING SANITARY SEWER INFORMATION TAKEN FROM CITY OF NORTHPORT GIS DATA AND MAPS.
- THE SUBJECT PROPERTY IS LOCATED IN THE NE 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 10 WEST.
- THIS SUBDIVISION IS A RESURVEY OF LOT 1 BNW PROPERTIES, LLC (PB #2016, PG #86), LOTS 1 AND 2 JAMES B. PHIFER RENTALS, LLC (PB #2017, PG # 28), AND LOT 2 REED PROPERTY DIVISION (PB #22, PG #147).
- TUSCALOOSA COUNTY SETBACK REQUIREMENTS:
FRONT: 30'
SIDE SETBACK: 10'
REAR SETBACK: 35'
- SOURCES OF TITLE:
DB 2023, PG 4234
DB 2016, PG 1010
DB 2016, PG 17877
DB 2025, PG 7449
- THIS PLAN IS COMPLIANT WITH ALL APPLICABLE REQUIREMENTS FOR PRELIMINARY PLATS AS PER THE NORTHPORT SUBDIVISION REGULATIONS.



EXISTING STREET SECTION - LOWER FORTY ROAD



EXISTING STREET SECTION - UNION CHAPEL ROAD



DUNCAN COKER ASSOCIATES

CIVIL ENGINEERING • SURVEYING • PLANNING

201 TOWNCENTER BOULEVARD
TUSCALOOSA, AL 35406

205-861-0808

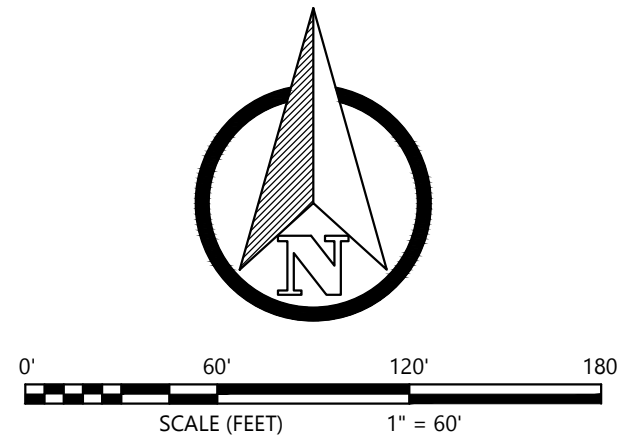
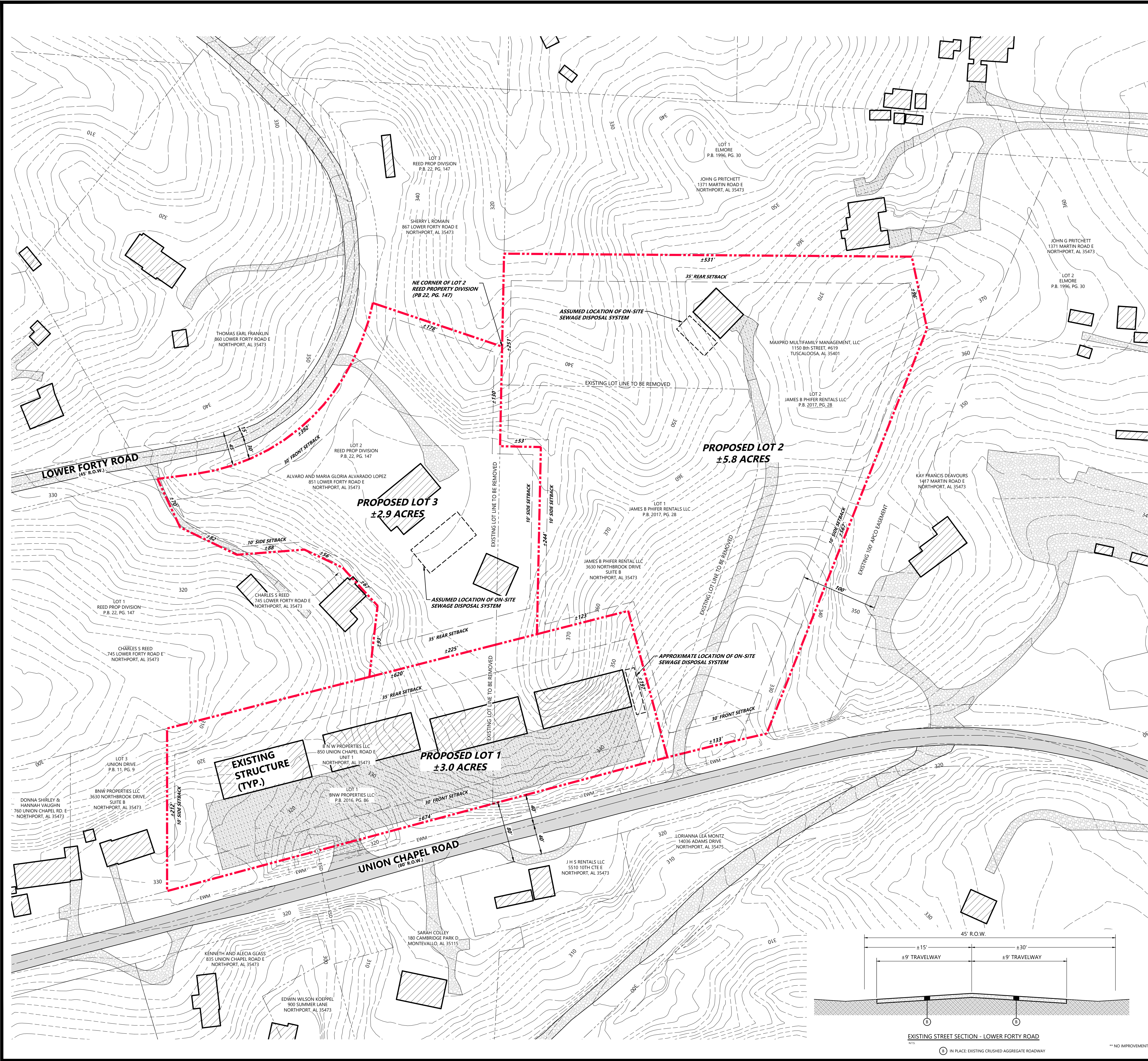
WWW.DUNCANCOKER.COM

PHIFER UCR SUBDIVISION

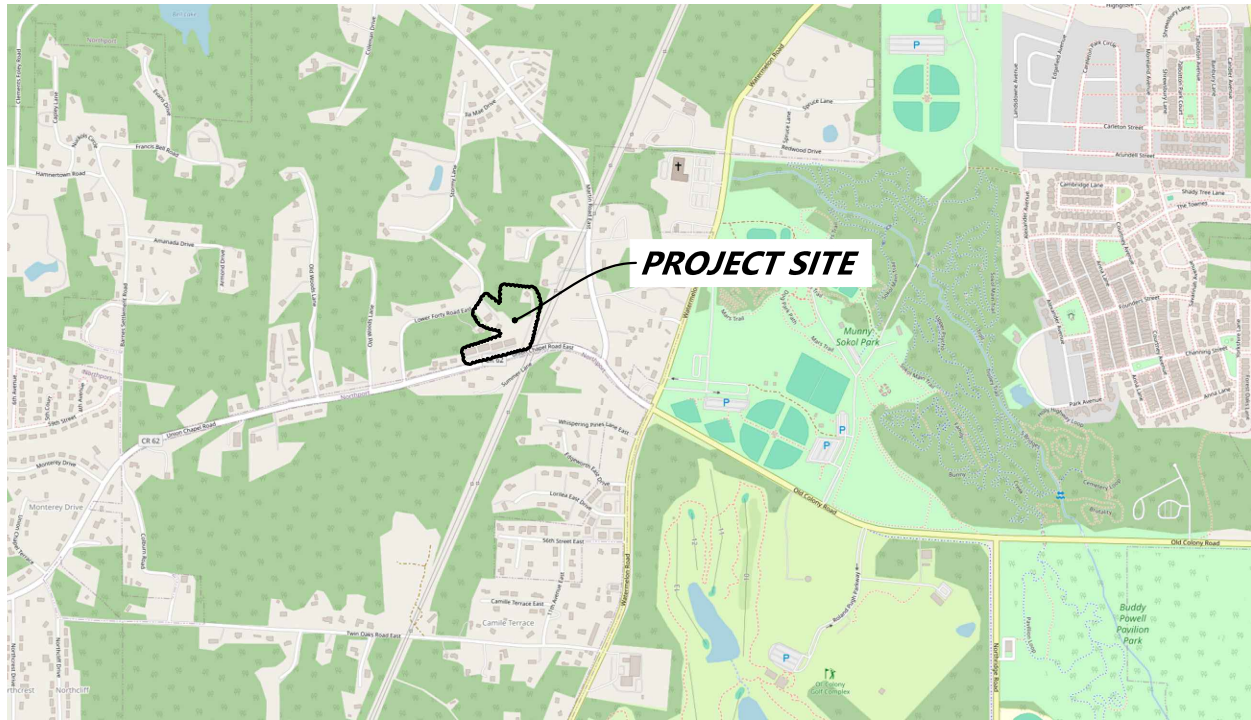
BEING A RESURVEY OF LOT 1 BNW PROPERTIES, LLC,
P.B. 2016, PG. 86, LOTS 1 AND 2 JAMES B. PHIFER RENTALS, LLC,
P.B. 2017, PG. 28,
LOT 2 REED PROP. DIVISION, P.B. 22, PG. 147

TUSCALOOSA COUNTY, ALABAMA

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SYMBOLS LEGEND	
---	EXISTING CONTOUR LINE (10 FOOT INTERVAL)
- - -	EXISTING CONTOUR LINE (2 FOOT INTERVAL)
---	EXISTING SANITARY SEWER
---	EXISTING STORM SEWER
SS	EXISTING SANITARY SEWER MANHOLE
S	EXISTING STORM DRAIN MANHOLE
---	EXISTING RIGHT-OF-WAY LINE
---	PROPOSED LOT LINE
P.B.	PLAT BOOK
D.B.	DEED BOOK
PG.	PAGE
---	EXISTING ASPHALT SURFACE
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---	EXISTING CRUSHED STONE SURFACE



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TUSCALOOSA, AL 35401

JAMES B. PHIFER RENTALS, LLC
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3630 NORTHBROOK DRIVE SUITE B
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ALVARO AND MARIA GLORIA ALVARADO LOPEZ
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NORTHPORT, AL 35473

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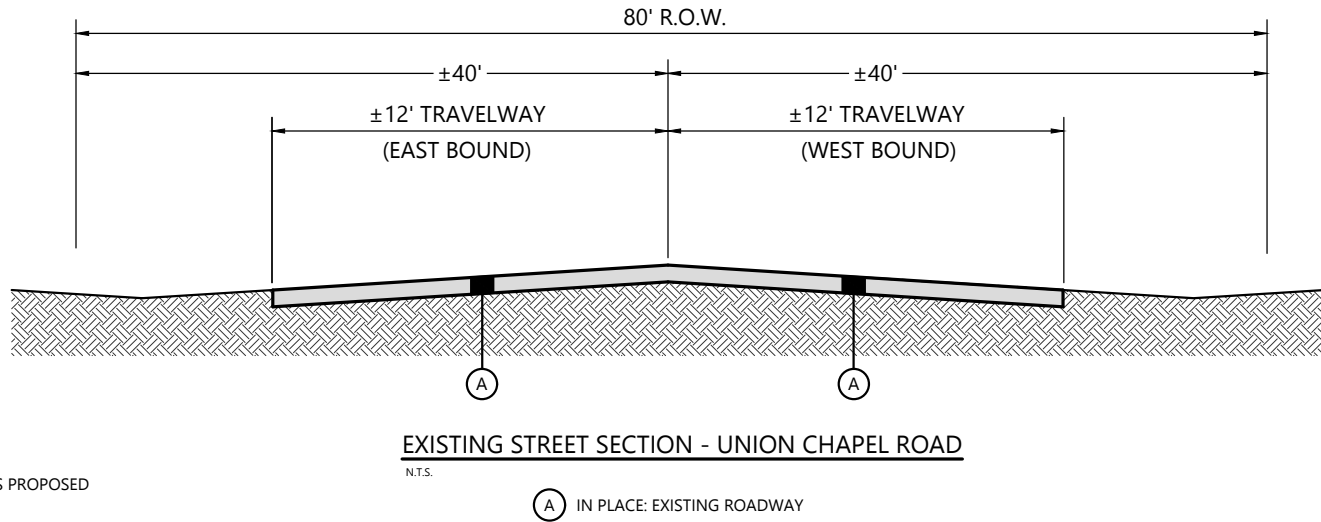
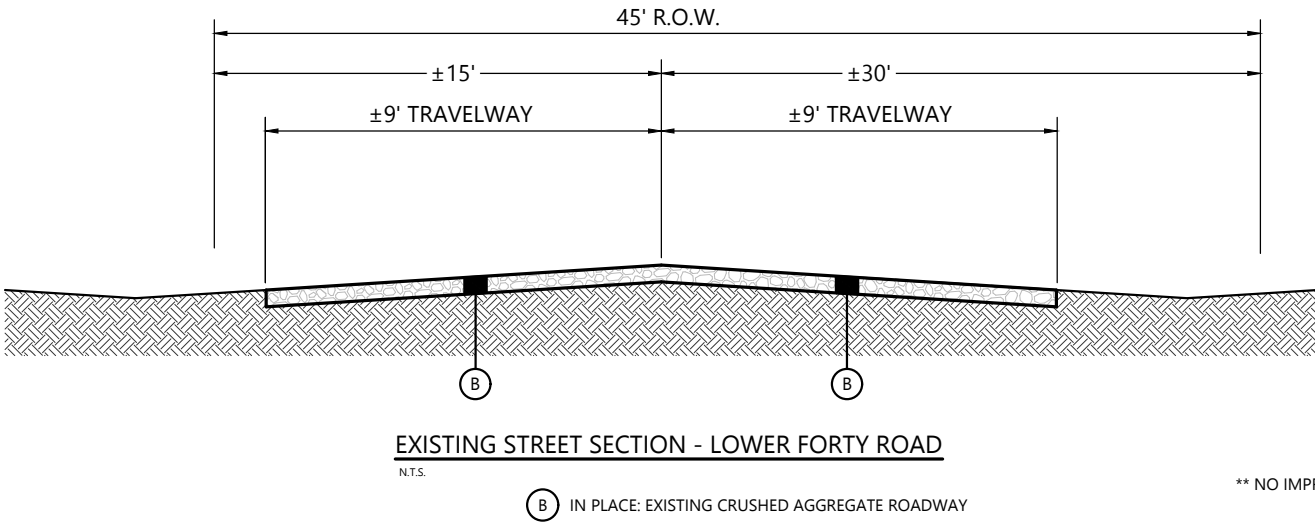
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SURVEYOR:

JAMES L. DUNCAN, JR. PE/PLS (AL PLS LICENSE NO. 23657)
DUNCAN COKER ASSOCIATES, P.C.
201 TOWNCENTER BOULEVARD
TUSCALOOSA, AL 35406

NOTES:

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- TOTAL PROPERTY UNDER CONTROL OF THE OWNERS = 11.84 Ac.±
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- PROPERTY IS SERVED BY CITY OF NORTHPORT WATER AND ON-SITE SEWAGE DISPOSAL.
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SIDE SETBACK: 10'
REAR SETBACK: 35'
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DB 2016, PG 1010
DB 2016, PG 17877
DB 2025, PG 7449
- THIS PLAN IS COMPLIANT WITH ALL APPLICABLE REQUIREMENTS FOR PRELIMINARY PLATS AS PER THE NORTHPORT SUBDIVISION REGULATIONS.



ALABAMA
LICENSED
SURVEYOR
JAMES L. DUNCAN, JR.
205-861-0808
04-11-25

PRELIMINARY
NOT FOR CONSTRUCTION

ALABAMA
LICENSED
SURVEYOR
JAMES L. DUNCAN, JR.
205-861-0808
04-11-25

PRELIMINARY
NOT FOR CONSTRUCTION

DUNCAN COKER ASSOCIATES
CIVIL ENGINEERING • SURVEYING • PLANNING
201 TOWNCENTER BOULEVARD
TUSCALOOSA, AL 35406
WWW.DUNCANCOKER.COM

PP1

PHIFER UCR SUBDIVISION
BEING A RESURVEY OF LOT 1 BNW PROPERTIES, LLC,
P.B. 2016, PG. 86, LOTS 1 AND 2 JAMES B. PHIFER RENTALS, LLC,
P.B. 2017, PG. 28,
LOT 2 REED PROPERTY DIVISION, P.B. 22, PG. 147
TUSCALOOSA COUNTY, ALABAMA

PRELIMINARY SUBDIVISION PLAT

NO. DATE DESCRIPTION

DATE: MARCH 2025 CHECKED BY: R.W.M. DRAWN BY: W.T.B. PROJECT NUMBER: 25-5416

SHEET NO.

Page 92 of 104

City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: SP-25-8 Rapid Results Supreme

Applicant: Rapid Results Supreme, LLC

Location: 1017 Martin Luther King Jr. Boulevard

Request: Conditional Use

Rapid Results Supreme, LLC is requesting conditional use approval for Indoor Recreation in a Light Industrial (M-1) zone for the property located at 1017 Martin Luther King Jr. Boulevard. The proposed use would consist of an indoor gym and fitness club within an existing office-warehouse development. No new construction is proposed with this request.

The current property consists of a 14-unit office warehouse development, of which 9 units are being leased by the applicant and are included in this request. The property is surrounded to the east by office-warehouses zoned General Commercial (C-3), to the south by undeveloped land zoned Light Industrial (M-1), to the west by office-warehouses zoned Office-Institutional (O-I), and to the north across Martin Luther King JR Blvd by an assisted living facility zoned Office-Institutional (O-I).

Conditional uses are those uses that have some special impact which differs from the potential impacts of permitted uses or exceeds them in intensity, or have uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed in a particular location. Whereas a use permitted by right has already been evaluated to fit within a zoning district, conditional uses must be evaluated on a case-by-case basis for compatibility at their proposed location.

The Planning Commission may attach to any recommendation for conditional use approval additional criteria dealing with bufferyards, parking, lighting, building materials, or any other aspect of site plan approval they deem necessary to mitigate the impact of the proposed conditional use on the surrounding property. Some examples of conditions the commission may wish to consider attaching to this recommendation could include:

- **Hours of operation** – The Commission could consider attaching a requirement that this use be limited to normal daytime business hours to minimize adverse impacts to nearby residential and assisted living developments.
- **Noise Control** – The commission could consider attaching a requirement for additional soundproofing or restrict the use of amplified music during workout classes.

The draft for the Northport Compass plan shows this area as “Office-Trades Mix”. The proposed use is not in conflict with the comprehensive plan.

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

City of Northport Planning Commission

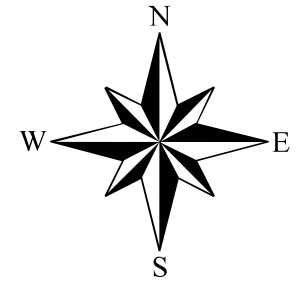
Conditional Use

Zoning

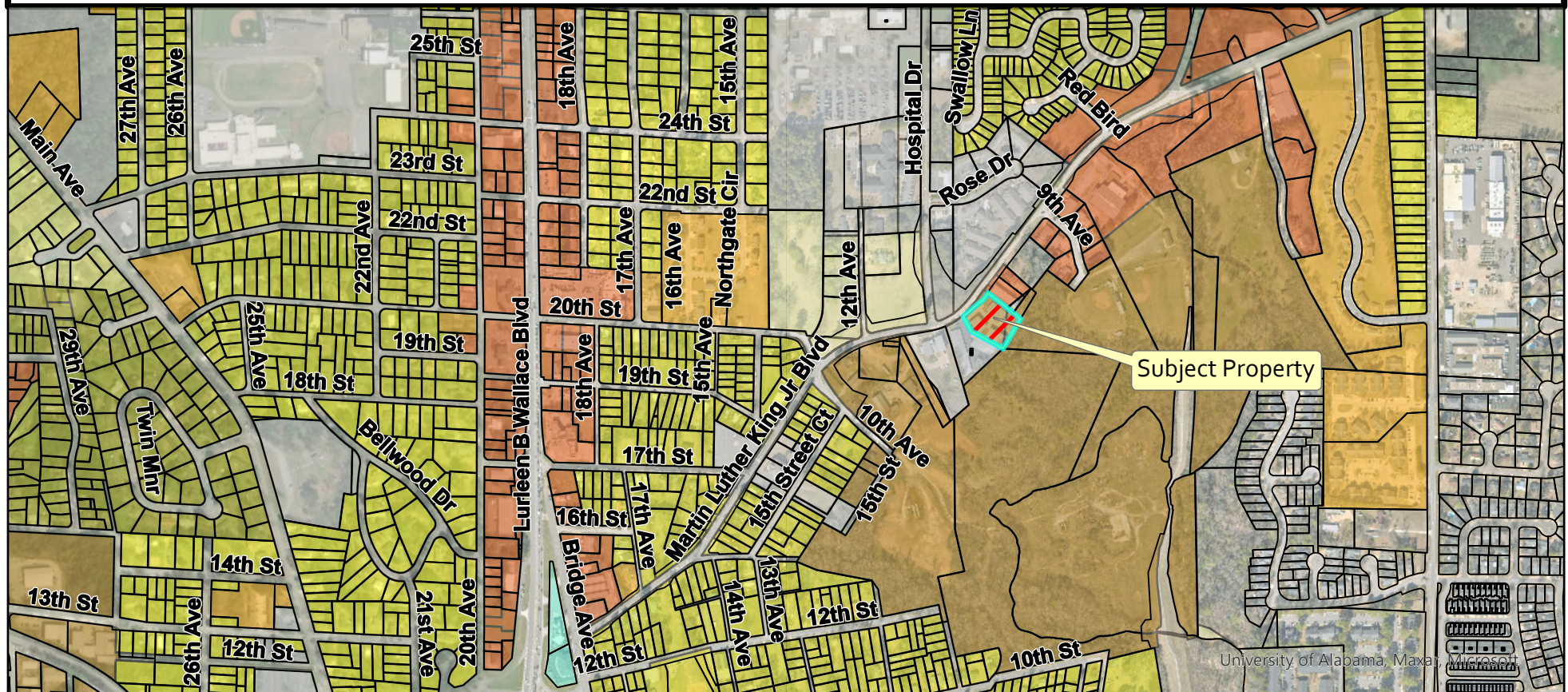
-  Neighborhood Commercial
-  General Commercial
-  Light Industrial
-  Mobile Home Park
-  Office and Institutional
-  Residential Multi-Family

-  Special District
-  Residential Single-Family - 1
-  Residential Single-Family - 2
-  Residential Single-Family - 3
-  Residential Single-Family - 4
-  Suburban Mixed-Use
-  Parcels
-  Subject Property

0 500 1,000 2,000
Feet



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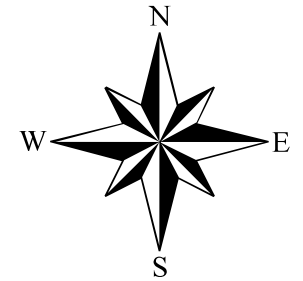
City of Northport Planning Commission

Conditional Use

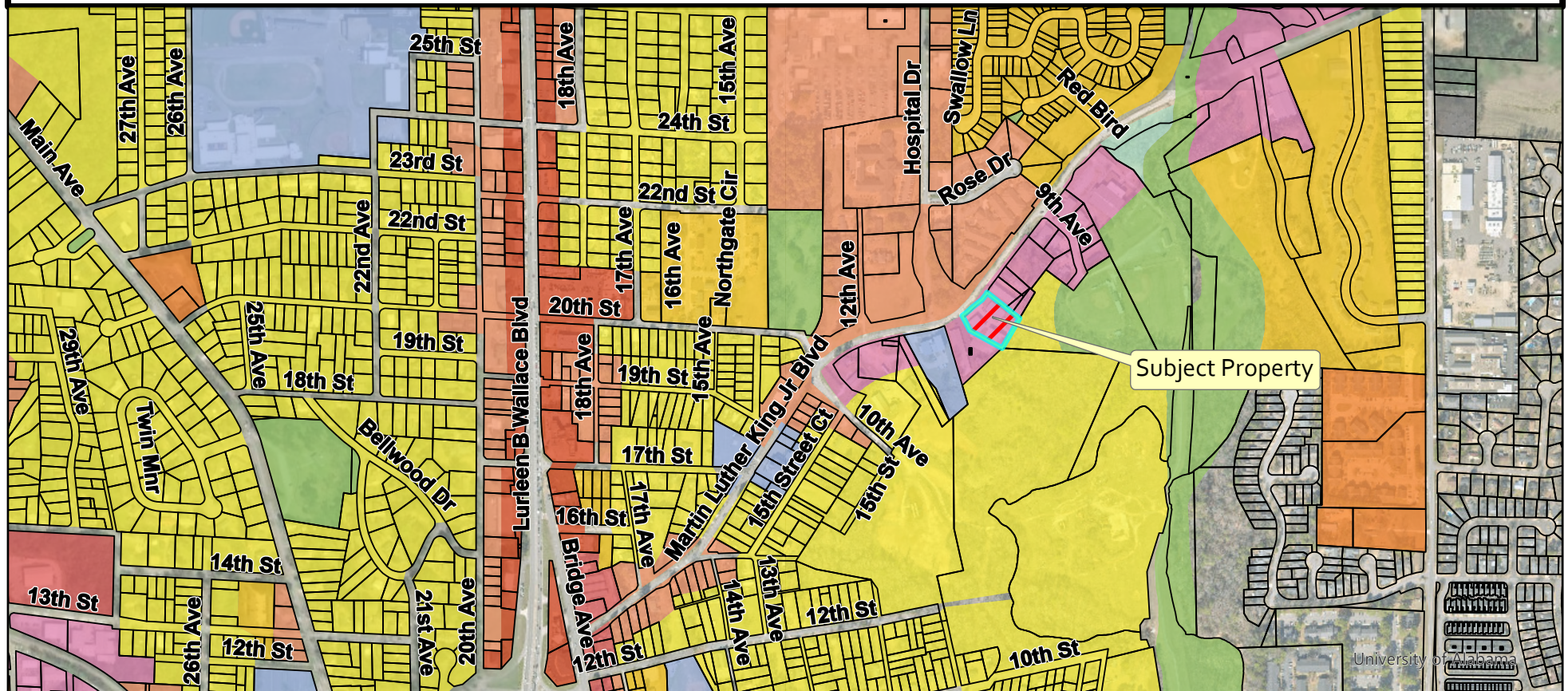
Future Land Use

- | | |
|--|--|
|  Conservation |  High Density Residential |
|  Conservation Floodway |  Medium Density Residential |
|  Conservation Development |  Low Density Residential |
|  Commercial Mix |  Office-Trades Mix |
|  General Mixed-Use |  Institutional |
|  Limited Mixed-Use |  Utilities |
|  Multifamily Residential |  Parcels |
| |  Subject Property |

0 500 1,000 2,000
Feet

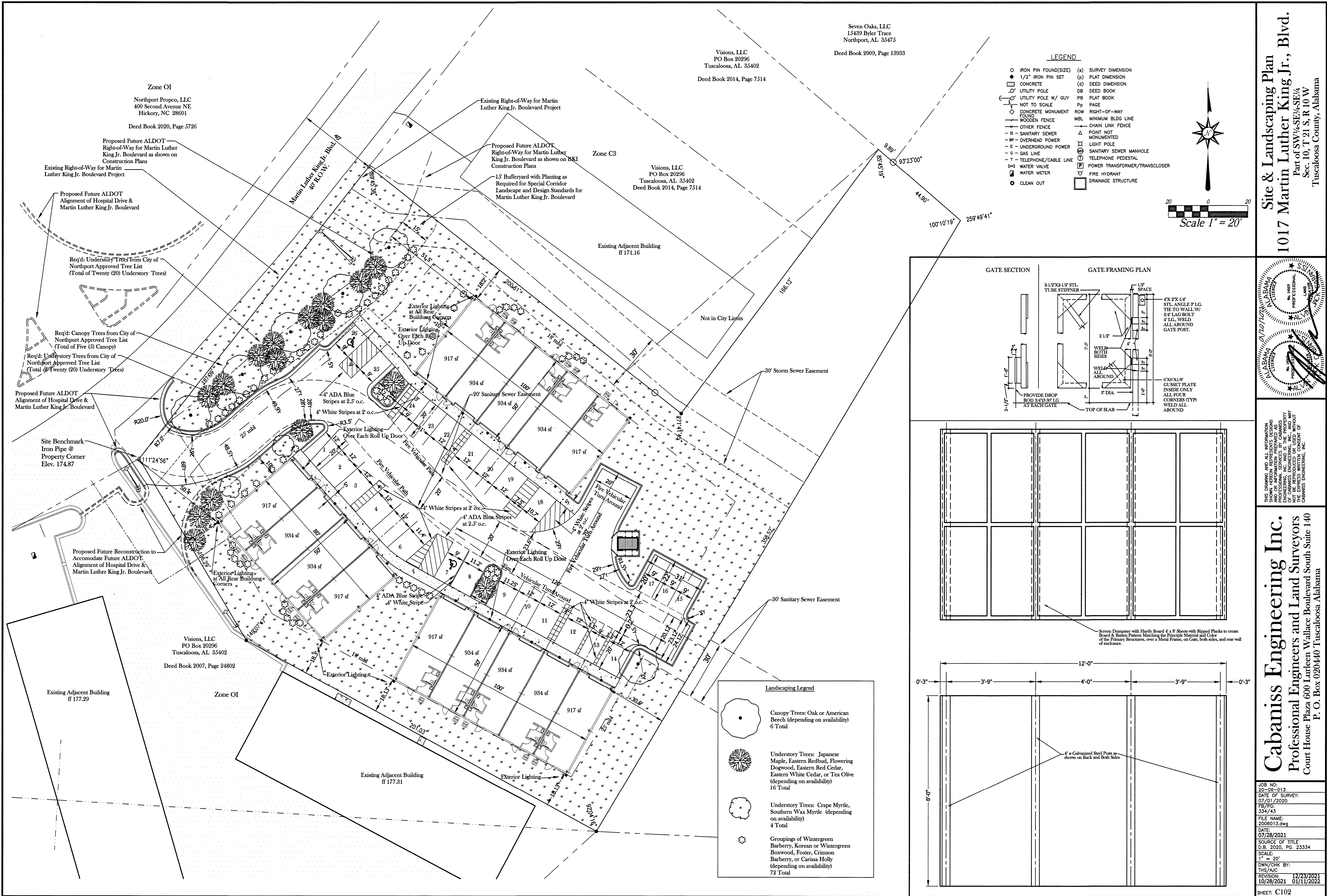


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Subject property as
seen from Martin
Luther King Jr. Blvd.
looking south.



City of Northport
Planning and Zoning Commission – May 13, 2025
Staff Report

Case: S-24-16

Applicant: Longleaf Engineering

Location: The east dead end of Northcreek Blvd

Request: Preliminary Plat

Longleaf Engineering requests preliminary plat approval for approximately 21.86 acres at the east dead end of Northcreek Blvd. The site currently consists of a vacant lot that is part of a planned residential development. The plat consists of 41 residential lots with 2 open space lots. The lot configuration is consistent with the Special District Plan approved in February of 2025.

This property is located within the city limits and is zoned Special District (SD). It is surrounded to the east by unincorporated undeveloped land (no zoning), to the south by unincorporated single family residences (no zoning), to the west by a previous phase of the same single family residential neighborhood that is currently under construction zoned Special District (SD), and to the north by an undeveloped future phase of the same neighborhood zoned Special District (SD).

This area is primarily shown as “High to medium density transition” on the future land use plan contained within Northport Compass. The proposed layout appears to be compatible with the comprehensive plan.

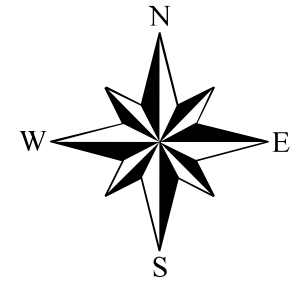
The applicant is requesting the following waivers:

- **Incomplete Previous Phase** – The subdivision regulations in section 306.3 require that public infrastructure be installed and accepted for maintenance by the City for all previous phases before the commission can approve additional preliminary plats. The applicant has requested that this be waived to facilitate their construction timeline. This request was previously denied in the August, 2024 Planning Commission meeting. The applicant has attached a letter detailing changes since this case was last heard - see cover letter dated 4-28-25 included in the packet.

Any action on this item will require 6 affirmative votes. Should this agenda item fail, the reasons for any non-affirmative votes must be stated on the record.

City of Northport Planning Commission

Preliminary Plat



Parcels

□ Parcels

Zoning

■ Agriculture

■ General Commercial

■ Office and Institutional

■ Residential Single-Family - 1

■ Residential Single-Family - 3

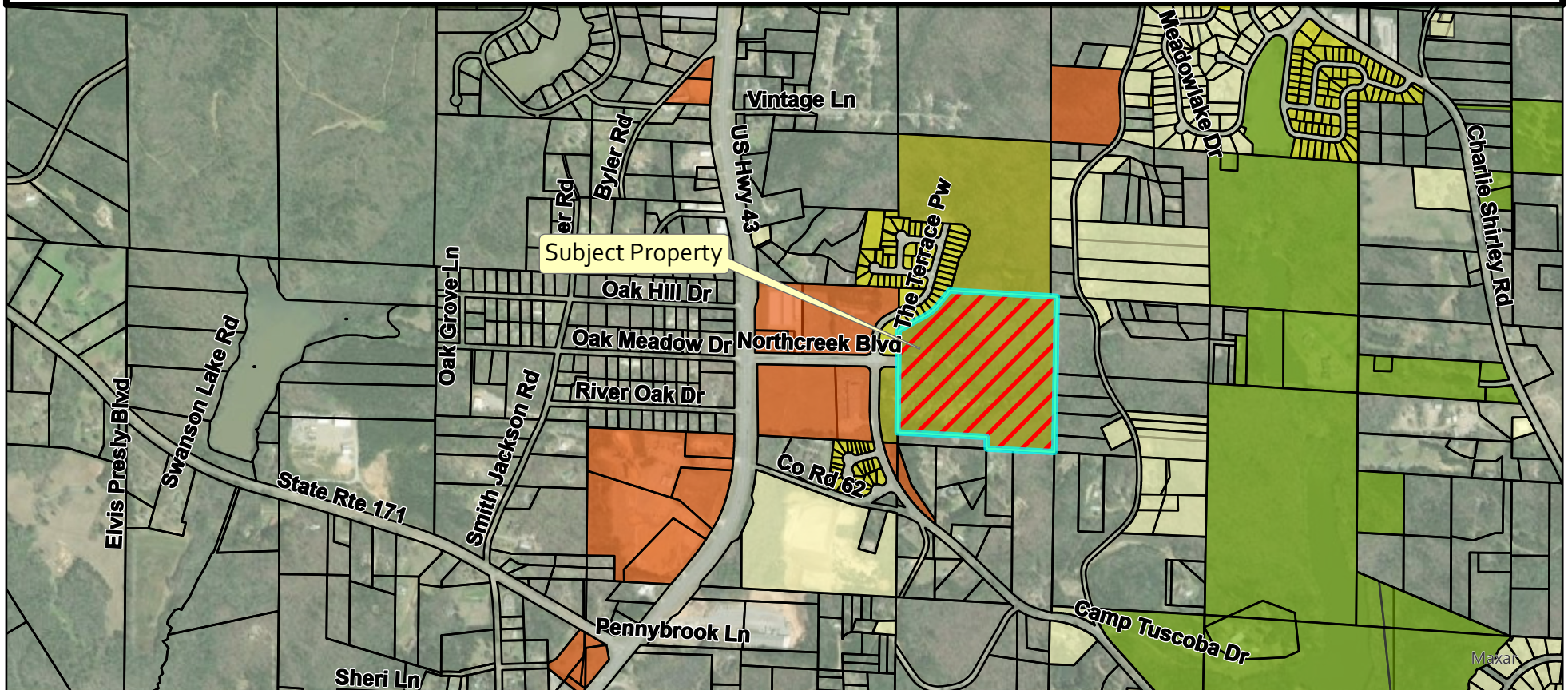
■ Residential Single-Family - 4

■ Residential Single-Family - SD

■ Subject Property

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0 1,500 3,000 6,000 Feet



City of Northport Planning Commission

Preliminary Plat

Parcels

□ Parcels

FLU_240408

■ Conservation

■ Conservation Floodway

■ General Mixed-Use

■ Limited Mixed-Use

■ High Density Residential

■ High to Medium Density Transition

■ Medium Density Residential

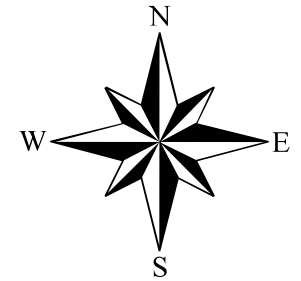
■ Medium to Low Density Transition

■ Low Density Residential

■ Institutional

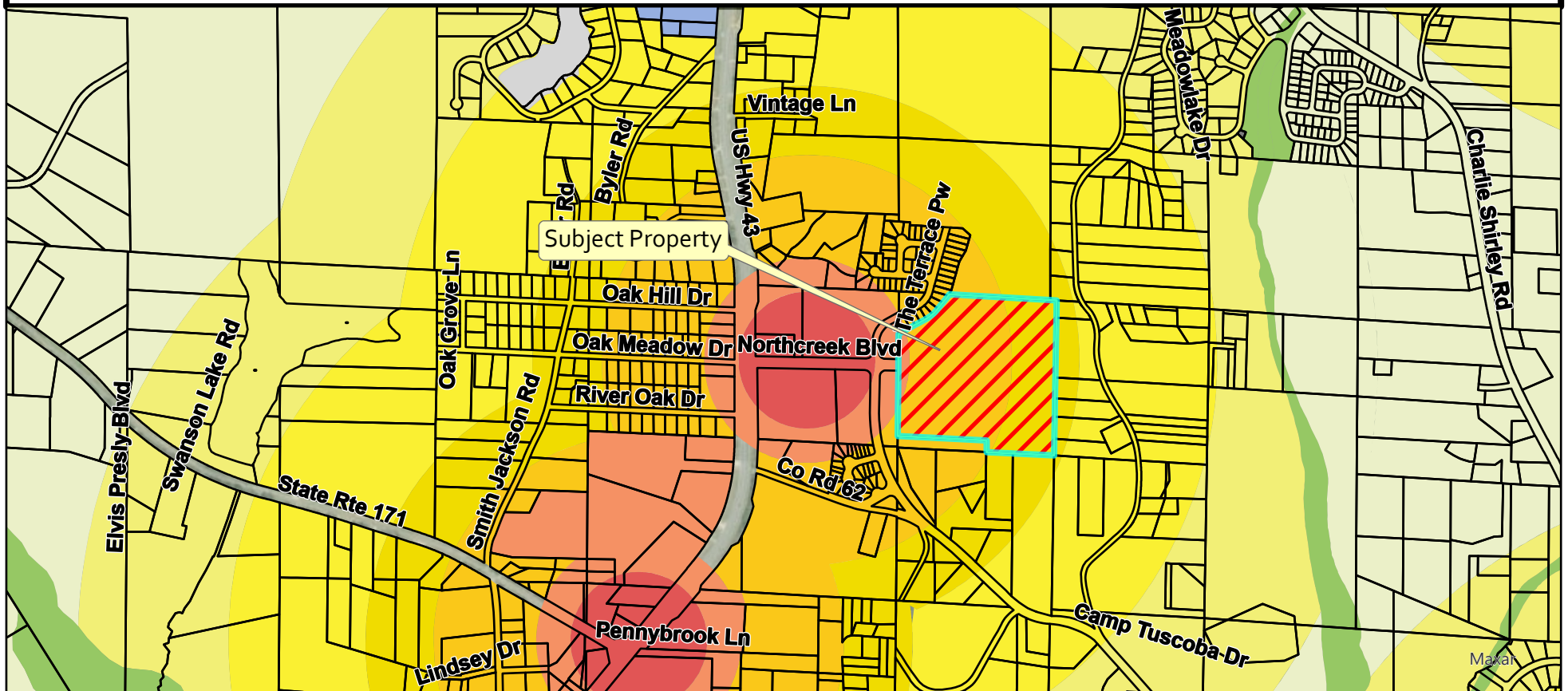
■ Utilities

■ Subject Property



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0 1,500 3,000 6,000 Feet





Subject property as seen
from intersection of
Northcreek Blvd and Union
Chapel Rd looking east.



1927 7th Street
Tuscaloosa, AL 35401
(205) 345-5646

April 28, 2025

City of Northport
Planning and Zoning Commission
3500 McFarland Boulevard
Northport, AL 35476

Re: Cover Letter
Terrace at Northcreek Subdivision - Phase III

Attached is the preliminary plat submission for Terrace at Northcreek Subdivision - Phase III. Included in this packet and online in the Citizenserve Portal are the following documents:

- Preliminary Plat
- DOA Form
- Adjacent Landowner Labels
- Waiver Request
- Deed

The Terrace at Northcreek phase 3 preliminary plat was previously heard by PZC at the September 2024, public hearing along with a revision to the master plan. The master plan revision was approved, but the phase 3 preliminary plat was denied primarily due to the waiver request to allow the hearing of phase 3 plat prior to the completion of construction of phase 2. At the time of the public hearing, phase 2 of the subdivision was still under review for an LDP permit. Phase 2 has since received LDP approval and the contractor has made significant progress in construction. The waiver is still being requested on the proposed phase 3 plat. Since the phase 3 preliminary plat was denied, the master plan has been revised at the homebuilder's request and modified to adhere to the City's new special district requirements. These modifications, along with any changes as a result of preparing the phase 2 construction plans and LDP permit, have been incorporated into the phase 3 preliminary plat. Some of these changes include proposed setbacks, the modification of the walking path through OS 6 and OS 8, and minor utility changes.

Please let us know if you have any questions or need any further information.

Sincerely,

Longleaf Engineering, LLC

