

**OFFICIAL MINUTES  
NORTHPORT PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, MAY 13, 2025**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, May 13, 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, Mr. Jason Ward, and Mr. Karl Wiggins. Absent and failed to vote: Mrs. Tracey Kelly, and Mr. Timothy Martin. Staff present were Mrs. Julie Ramm, Planning Director, Mr. Ron Davis, City Attorney, Mr. Shaun Patten, Zoning Administrator, Mr. Brad Matthews, Assistant City Engineer, 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 April 8, 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. **A-25-1 The Cove at Northcreek** – Longleaf Engineering requests annexation of approximately 1.28 acres located on the southside of Old Union Chapel Road

Mrs. Ramm stated that 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 acres 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 zoning ordinance requires that special districts 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).

Mr. Matthews stated that the only other waiver request was the stub streets. Mr. Turner confirmed with Mr. Matthews that the Old Union Chapel Road West was closed, and it would not be reopened. Mr. Matthews stated that was correct, the bridge was removed so it is no longer a functioning street. Mr. Kemp stated that with Highway 43 headed to five lanes this issue is taken care of because there is a major utility issue under the road that would really cost a lot of money to ever think about connecting it back up again.

Mr. Turner asked Staff if the lots were smaller than RS-2/RS-3 lots. He stated that 6,000 SF is the minimum lot size for RS-4 which we do not have anymore, most of the lots appear to be less than 6,000 square feet. He stated that the minimum lot size for RS-3 is 9,000 SF, some of the lots on the south and east side get into RS-3, RS-2, and maybe 1 or 2 that get into RS-1 size if you look at total square footage.

Tom Sims, Longleaf Engineering, spoke at the podium. He stated that this is no longer a through street, that this particular site was an old dirt pit, this in their opinion would be a huge improvement for the area. He stated they are also wanting to develop this site for future use for Harris Doyle Homes He stated that he believes they meet the open space requirements, they have 9% of the two different amenity areas, one of the stipulations in the new ordinance mention that natural areas and natural watercourses that remain undisturbed would count towards common area. He stated that 16% of the project site is wetlands so that's a little over 4 acres that would be preserved as a natural common area. He stated they have three separate amenity areas for the 67 lots.

Mr. Turner asked Mr. Sims if everyone could utilize their entire lot, especially on the bigger lots it looks like there is a lot of topography. Mr. Sims stated that was the reason some of the larger lots are as big as they are because of the grading, they will have at least the amount of usable space that the interior lots have. Mr. Turner asked if what we have seen in the past is all of that cut out being open space even though it is not usable. He stated that in the Terrace at Northcreek it seemed like a lot of the space got cut out of the lots because of topography but here it is in the lots? Mr. Sims stated that here it was a little bit easier to contain it within the lots and not have an open space, these slopes would end up being a 3-1, which can be maintained or let them grow naturally.

Mr. Wiggins asked if some of the topography goes through the community space on the southeast corner, is the plan to grade that space out? Mr. Sims stated that there will be an extensive grading process here. Mr. Wiggins asked if the intent is to concrete the walking trail? Mr. Sims stated that it will likely be concrete or asphalt, they

are proposing half-street improvements to Old Union Chapel Road so it will likely be concrete to match the existing sidewalk.

Mr. Chandler asked staff if the walking trail was part of our staff calculations. Mr. Patten stated that was included. Mr. Chandler asked Mr. Sims if he was also including that in his open space. Mr. Sims stated that they have an open space breakdown in the conceptual plan, they have it listed as a passive open space.

Mr. Lewis asked Mr. Sims if they were including the wetlands in the open space. Mr. Sims stated that was correct. Mr. Lewis asked if the green space for the pond was included. Mr. Sims stated it was not included because there will need to be some grading done there.

Mr. Randolph asked Mr. Sims if they had numbers for the difference in the open space percentage. Mr. Sims gave the open space calculations as shown on the open space plan.

Mr. Randolph asked staff if it specifies the amount of wetland that should be considered. Mr. Patten stated that there is no specific ratio that is prescribed within the ordinance. He stated it does have the requirements that it has to be useful for active or passive recreation to serve such purpose but it also has the allowance that some natural areas can count so it is up to the discretion of the commission on that.

Mr. Wiggins stated that you could have a scenario conceivably where a third of acreage was left and there were no amenity areas and then the question would be do you count that.

Mr. Sims stated that the variation of the request was the stub street, to the west they have wetlands and 43 with no future tie ins and to the east there is only one parcel between this particular property and Union Chapel Road, then to the south you have topography and wetlands issue.

Mr. Turner asked Mr. Sims if it was correct at Union Chapel Road is that paved. Mr. Sims stated that they went through a ROW vacation before they got here for that. Mr. Matthews confirmed it is not an open road like it makes it look on the lot.

Mr. Sims stated that some of the house plans would show a variation in the positioning of the garages to provide a street scape and provide a visually appealing product. He stated that decorative columns and porches will aide in the provision in a more attractive product. Mr. Turner asked if the renderings provided is what was being proposed. Mr. Sims stated that was correct. Mr. Turner stated that goes back to his other question on the larger lots and seeing some sort of variation, but the larger lots are going to function like the smaller lots, based on the topography. Mr. Turner asked what the square footage of these homes would be. Mr. Sims stated they are proposing 1700-2700 SF. Mr. Sims stated that this is shown in the Master Plan as a High Density area, we are proposing a medium-density.

Mr. Kemp asked if there was a way for staff to ensure that the houses are varied. Mr. Sims stated that the buyer will choose the plans, the builder also has to submit for a building permit, and then the HOA as well can cover some of that in the covenants, you have some avenues where you can make a review process if needed. Mrs. Ramm stated that as far as procedure goes, we would review those building permits and they would have to submit what the layout will look like and a rendering of the house and we would go back and make sure that was an approved layout for this lot. Mr. Kemp stated if a special district is set up to not be dominated by driveways, is there a mechanism to say everything being done is driveways, etc. Mr. Turner stated Mr. Kemp is saying if the neighborhood starts getting dominated by driveways and garages what is the mechanism to say "no this wouldn't meet the intent of what the narrative stated". Mrs. Ramm stated that is where the commission has

to really be careful about what is being approved, if you look at this plan, there are several lots on here that are 50' wide, driveways are 25' wide on average, the commission has to take that into consideration if they are not going to have lots that are dominated by driveways and garages. Mr. Wiggins asked if there was a mechanism by which we could say "x" percentage have to have some kind of variance. Mr. Turner stated that he did not know if we would require that, he would almost rather, they propose meeting that condition, by saying here is how we are going to meet that condition, by showing us on paper. Mr. Sims stated that if you leave it up to the builder they are going to create the variation because they want this to look more attractive, they are going to build houses as spec houses, but as an owner comes in they will build them the houses they want. He stated that they could put the house plans and each lot and provide to the city as far as the building inspection sign off.

Mr. Randolph asked Mr. Sims what the reason was for not providing stub streets on the south and east side. Mr. Sims stated on the east there is one parcel between their project and Union Chapel Road, on the south side there are a lot of topography issues, there's not a large parcel where something could be developed.

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.

Mr. Turner asked Mr. Kemp to restate the point he made in the pre-meeting in regard to the special district. Mr. Kemp stated that in a general way the Special District was set up for several reasons and if you're going to set it up and we have set up criteria to meet that varying from it very far defeats the whole purpose of having this one situation. He stated it is his concern that we will see a lot of these and will see a lot of variances come with each one of them, when they can do most of what they want anyway if they don't go special district. Mr. Chandler asked if the Special District was not approved, that's not really stopping this from being developed as an RS-1. Mr. Turner stated that was correct. Mr. Turner stated that initially with the bigger lots he thought we could set some of the houses back and not be dominated by garages but now realizing the whole lot can't be utilized due to topography its basically just more of the smaller lots, that's his main concern. Mr. Randolph stated that the community space is 3% combined, the sidewalk adds another 5%, to get us above 20% is to completely rely on the wetlands, he is not sure is in keeping with the open space in the special district.

**Motion by Mr. Turner** to make a favorable recommendation to the City Council to annex approximately 1.28 acres for the property located on the southside of Old Union Chapel Road. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes. **Motion Carried.**

**B. 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.

**Motion by Mr. Turner** to make a favorable recommendation to the City Council for the rezoning of approximately 26.3 acres from RS-1 (Residential Single-Family) to SD (Special District) with Special District Plan approval for the property located on the South Side of Old Union Chapel Road. **Seconded by Mr. Ward.** Mr. Turner – No; Mr. Ward – No; Mr. Chandler – No; Mr. Kemp – No; Mr. Lewis – No; Mr. Randolph - No; and Mr. Wiggins – No. **Motion Failed.**

**C. 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. **APPLICANT REQUESTED TO CONTINUE UNTIL JUNE. ACTION NEEDED.**

Tom Sims, Longleaf Engineering, spoke at the podium. He stated that he would like to continue this case to June due to this being an unusual situation of working through combining two subdivisions in a master plan and they have run into a delay in getting the documents.

Chairman Turner stated that in the packets he sees a lot of neighbor concerns and asked Mr. Sims if they had met with the neighbors. Mr. Sims stated that they have had some representatives from Northwood Gardens, Mr. Joe Duckworth, has been meeting with some of the neighbors. He stated that this particular subdivision was brought before the commission about 2 years ago and there was a large community turnout with significant opposition tying to Northwood Estates. He stated that this plan does not tie to Northwood Estates.

Chairman Turner opened the floor for a public hearing.

Harvey Wilson, 4906 Northwood Gardens Drive, spoke at the podium. He stated that he had concerns about the traffic.

Danny Webb, 4208 Macon Circle, spoke at the podium. He discussed concerns about public notifications for this case.

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.**

**D. 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. **APPLICANT REQUESTED TO CONTINUE UNTIL JUNE. ACTION NEEDED.**

**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. Kemp.** Voice vote was given. **Motion Carried.**

**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.

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 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.

Chairman Turner asked the applicant to come forward, the applicant was not present at the meeting.

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

### **New Business**

F. **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.

Mrs. Ramm stated that 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 waivers for Sidewalks, Half-Street Improvements, and Capped Sewer. 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.

Mr. Matthews stated that the capped sewer is being requested because these are existing lots, no new lots are being created, and they are all on septic. He stated as far as half-street improvements go, the county provided support for Lower 40 road and Union Chapel Road.

Robert Martin, Duncan, Coker and Associates, spoke at the podium. He stated that this is just a simple resurvey and no new development is proposed.

Chairman Turner opened the floor for a public hearing.

Kimberly Romain, Lower Forty Road E, spoke at the podium. She stated that she was concerned about traffic, noise and water run-off.

Brenda Franklin, 860 Lower Forty Road E, spoke at the podium. She stated that she was concerned about traffic, noise, and water run-off.

Mr. Turner reiterated that the only thing the applicant is wanting to do is move the property lines, no new development is being started.

Mr. Martin confirmed that there are no developments proposed on this lot.

Betty Pritchett, 1371 Martin Road East, spoke at the podium. She wanted clarification on where the red lines are moving. Mr. Kemp stated that’s where the new property lines are moving to.

Chairman Turner closed the floor for a public hearing.

**Motion by Mr. Turner** to approve the preliminary plat for the Phifer UCR Subdivision with the waivers of sidewalk construction on Union Chapel Road and Lower 40 Road, Half-Street Improvements on Union Chapel Road and Lower 40 Road, and Capped Sewer. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes. **Motion Carried.**

**G. SP-25-1 Rapid Results Supreme** – 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.

Mrs. Ramm stated that 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. Blvd. 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 and Noise Control.

Mr. Turner asked Staff if this would be allowed in C-3. Mr. Patten stated that use is permitted by right in C-3. Mr. Turner asked with parking, does it meet it as it stands right now. Mr. Patten stated that they would still have to get the parking special exception from the Zoning Board.

Chairman Turner asked the applicant to come forward, the applicant was not present at the 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 that this notification will serve as proper notification for any adjoining property owners.

**Motion by Mr. Turner** to continue the conditional use for Rapid Results Supreme, LLC for a gym located in a Light Industrial (M-1) zone for the property located at 1017 Martin Luther King, Jr Boulevard. **Seconded by Mr. Wiggins.** Voice vote was given. **Motion Carried.**

**H. S-25-9 Terrace at Northcreek, Phase III** – Longleaf Engineering is requesting preliminary plat approval 21.86 acres located at the east dead end of Northcreek Boulevard.

Mrs. Ramm stated that Longleaf Engineering requests preliminary plat approval for approximately 21.86 acres located at the east dead end of Northcreek Boulevard. 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 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 a waiver for Incomplete Previous Phase.

Mr. Wiggins stated that it is his understanding that the reason for the regulation to not allow the next phase to move on is because in the past the city has inherited some roads that were not built to the standard of a completed city street. Mrs. Ramm stated that Mr. Wiggins was correct. Mr. Matthews stated that in the 2007-2008 housing bust there were lots of conditions where the city had allowed final plat for 1 phase and there was no protection for the city, however, they do have bonds now that would further protect the city.

Tom Sims, Longleaf Engineering, spoke at the podium. He stated that he agrees wholeheartedly with what Mr. Matthews stated. He stated that when the crash happened there were a lot of undeveloped lots, rules have changed for Northport. He stated the critical aspect for the developer itself is they want to have a seamless transition between building one phase and starting the next, while they are building houses they want to be building the other development and if they end up waiting until all of the final plats are signed by the city, then there ends up being a 4, 5, 6 month lag. He stated that if this would make it more palatable for the city the developer is willing to make a stipulation to where we hold the LDP approval. He stated they have used this waiver in the past and feel that they have a pretty good track record and haven't had any issues in years past.

Mr. Turner asked Mr. Sims if this was more for the design process and not the construction. Mr. Sims stated that was correct.

Mr. Turner asked staff if this plan meets the requirements what was approved by the special district plan and he isn't requesting to change anything from a layout, why would he need the preliminary plat approval now in order to start the design. Mr. Sims stated that the developer just doesn't want to take on the risk. Mr. Turner stated that maybe this is something we are cleaning up in the new subdivision regulations but when you get a master plan approved, you don't need to come back for each phase, for a preliminary plat, as long as it conforms and meets what it is you're just going straight to LDP and straight to final plat.

Mr. Kemp asked Staff what bonding we were getting out of this. Mr. Matthews stated the only thing we can bond is the final wearing surface. The bond is for 1.5 times the value of the final wearing surface.

Chairman Turner opened the floor for a public hearing.

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

**Motion by Mr. Turner** to approve the preliminary plat for approximately 21.86 acres for the property located at the east dead end of Northcreek Boulevard. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins –

Yes; Mr. Chandler – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes.  
**Motion Carried.**

- I. **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.**

**COMMITTEE REPORTS**

- Mr. Ward had to leave at 7:37.

**OTHER AND MISCELLANEOUS BUSINESS**


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

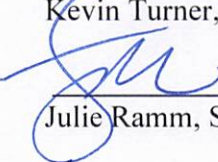
Jason Fondren with KPS, presented proposed changes to the subdivision regulations.

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

Meeting was adjourned at 8:13pm.

ATTEST:

  
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Kevin Turner, Chairman

  
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Julie Ramm, Secretary