

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, JUNE 10, 2025**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, June 10, 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. Martin Houston, Mrs. Tracy Kelly, Mr. David Kemp, Mr. Roland Lewis, Mr. Clay Randolph, Mr. Kevin Turner, Mr. Jason Ward, and Mr. Karl Wiggins. Staff present were Mrs. Julie Ramm, Planning Director, Mr. Ron Davis, City Attorney, Mrs. Kim King, Assistant 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. Kemp to approve the minutes of the regular meeting minutes for May 13, 2025. **Seconded by Mr. Lewis.** Voice vote was given. **Motion Carried.**

Verification of No Conflict of Interest – Mr. Kevin Turner stated that he knew Woodrow Washington, the owner of the property for Case Number S-25-12, and recused himself from voting on Case Number S-25-12.

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

Disclosure of Ex Parte Communication – None

Old 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.

Mrs. Ramm stated that Longleaf Engineering is requesting rezoning with Special District Plan approval for approximately 48.9 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 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). A portion of the development was previously included in the Northwood Estates Master Plan. An amendment to that master plan is also requested. The proposed development features 115 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 zoning

ordinance requires that special districts contain 20% **usable** open space for active and passive recreation. The development as proposed contains roughly 26% open space with amenities including a swimming pool, clubhouse, playground, pickleball courts, and walking trails. 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, however, the proposed development appears to be consistent with the adjacent neighborhoods in this regard. The unincorporated portion of 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. The site currently consists of vacant property with portions zoned Special District (SD), General Commercial (C-3), and portions unincorporated (no zoning). The site is surrounded by single-family residential to the north zoned Special District (SD), by single-family residential to the east zoned Residential Single-family (RS-1) and Special District (SD), by vacant property to the south zoned General Commercial (C-3), and by a mixture of vacant property & mixed-use commercial development to the west zoned General Commercial (C-3) as well as single-family residential zoned Residential Single-Family (RS-1).

Mr. Turner asked staff to confirm that this is Magnolia Hills West and that Magnolia Hills West is also Northwood Gardens Ph. 4. Mrs. Ramm stated that was correct as far as the acreage they are including. Mr. Turner asked as far as a subdivision name, is it two separate subdivisions? Mrs. Ramm stated that currently the 13 acres is Northwood Gardens, they are proposing to take that 13 acres and include it in their special district plan for Magnolia Hills West. Mr. Turner asked if it would be platted as Northwood Gardens. Mrs. Ramm stated she would think so but it is still going to be a part of the Special District Plan for Magnolia Hills West. Mr. Turner asked Mr. Matthews if he had a chance to review the preliminary traffic study. Mr. Matthews stated that he did a review, it is not a full traffic study, Skipper Consulting provided a traffic study through the engineer. Mr. Turner asked if there were any recommendations out of the traffic study. Mr. Matthews stated there were not any at this point, the main point of this study was to discuss distribution of traffic and the primary traffic flow would be expected.

Tom Sims, Longleaf Engineering, 1927 7th Street, spoke at the podium. Mr. Sims stated that he wanted to start from the beginning to how we got here with this proposed plan, a few years back Magnolia Hills was brought to the commission as a stand-alone neighborhood and there is no connection to Northwood Gardens, at that time, we were showing connections to meet fire code to the North in to Northwood Estates, they did not get approval of that mainly due to the outpouring of concern about connecting to the Northwood Estates subdivision, fast forward to now, the developer has an opportunity to connect through Northwood Gardens which would be a similar type product to what is there now. He stated that in doing so, Northwood Gardens phase 4 already existed as a future phase of that subdivision which is the reason they had to come in and modify the master plan, the amendment that is being proposed reduces the lot density in that phase, in this proposed plan that has been reduced to 28 lots, there were some additional outstanding patterns in the Northwood Gardens Subdivision, which is a violation of Fire Code they do not have a secondary access point, this would alleviate some of that issue. The other is the detention pond sits, not on an open space parcel but on that residential property there. He stated these are some items they feel that they can clean up. He stated that with the new special district regulations, they needed to build these two subdivisions at least partially concurrent to get the access through the south of the existing Magnolia Hills Subdivision and the access to the north through Northwood Gardens to create that fire code. He stated that the developer sent a letter through an intermediary to the Northwood Gardens and Northwood Estates HOA, the intent of the comment regarding the connection was that there is a primary access to 43N currently through Northwood Gardens, the secondary access would be created through the existing Magnolia Hills subdivision. He also stated that Mrs. Ramm mentioned was a variance or something

to reconfigure one of the lot widths, that was inadvertent, that lot can be made to the proper width so there is no variance needed. He stated that Skipper Consulting did a traffic study, and they confirmed that majority of the traffic would pursue south through Magnolia Hills to get to 43. He stated that the Magnolia Hills West and Northwood Gardens would be the same developer and builder so they are proposing and HOA where the Northwood Gardens residents would be part of the Magnolia Hills West HOA, however, they are aware that the property is apart of the existing Northwood Gardens Subdivision and in some respects it needs to remain part of that subdivision due to the detention pond.

Mr. Wiggins asked Mr. Sims if Northwood Gardens is part of Magnolia Hills West HOA, it would not be part of the HOA for Northwood Gardens? Mr. Sims confirmed that is what they are proposing. Mr. Wiggins asked if it was fair to them to call it Northwood Gardens. Mr. Sims stated it did not matter to them what they called it, if the city wished for us to pull it out and call it an extension of Magnolia Hills West, it really has no bearing in what they are trying to accomplish, but it exists today as Northwood Gardens Phase 4. Mr. Wiggins asked Mr. Sims what the arrangement would be to maintain the detention pond. Mr. Sims stated that the HOA for Magnolia Hills West will enter into an agreement with the existing Northwood Gardens HOA and make annual assessments for the 28 residents.

Mr. Turner asked if the developer has met with the Northwood Gardens HOA. Mr. Sims stated he does not think the developer has had a meeting specifically with the HOA. Mr. Turner asked Mr. Sims, looking back at the exhibit that was in the annexation case, given that one property owner owns all of this property other than a small sliver, what is holding it back from accessing 43 at the signal? Mr. Sims stated that his developer is not the property owner and they are only purchasing the bigger property (not the sliver), they have provided a stub street in that direction if that ever comes to fruition. Mr. Houston asked if the developer has had conversations with that owner. Mr. Sims stated that Mason Lake could probably speak more on that.

Mr. Kemp asked if Northwood Gardens was listed as Northwood Gardens or something else in the master plan. Mr. Sims stated the existing master plan has Northwood Gardens phase 4 on that 28 lot section. Mr. Lewis asked if they were combining two projects. Mr. Sims stated they were combining them by name, single development project for Longleaf and the Developer, they are trying to meet the technicalities of the master plans that exist of what they are proposing and fall into the new special district plan zoning that the city has, this seemed to be the easiest way to get these all on the same page. Mr. Lewis stated the major change from Northwood Gardens master plan that was already approved, the change is, the stub street and reduction in density. Mr. Sims confirmed that was correct. Mr. Lewis are they including overall amenities from Magnolia Hills West into that. Mr. Sims stated he did not understand the question. Mr. Wiggins asked if that percentage covers the whole project. Mr. Sims stated it does cover the whole project. Mr. Turner stated that in reference to the amenities are not in phases anymore, it becomes one cohesive neighborhood that can utilize all the amenities, and now you're saying all of the existing Northwood Gardens can use the amenities as well. Mr. Sims clarified that just phase 4 would use the amenities. Mr. Houston stated that they have the two names and the 28 lots, what name will the neighborhood be advertised as when you drive into your neighborhood; then will the homes be constructed in a way similar to Northwood or the new Magnolia Hills. Mr. Sims stated the intent is to construct both phases as a subdivision within itself, they will build the same type of homes in both sections but it will be different that what is currently in phases 1, 2, & 3.

Mr. Turner asked Mr. Patten to bring up the new amended Master Plan. Mr. Patten pulled up the amended master plan. Mr. Turner asked if it showed a connection through Briarcliff. Mr. Patten confirmed that was correct and pulled up the proposed Master Plan. Mr. Turner asked if the connection still exists. Mr. Sims stated that the Right of Way exists but the roadway does not. Mr. Turner stated there was a connection point and a stub Right of Way on the Briarcliff side. Mr. Sims stated that was correct, previously the Northwood Gardens

phase 4 was showing a full connection to Briarcliff, that roadway cannot be constructed due to topography within the limits of the Right of Way. Mr. Turner asked if this was on the Briarcliff side or the Northwood side. Mr. Sims stated it would be right in the middle of the right of way.

Mason Lake, 2504 Huntington Park Court, DR Horton, spoke at the podium. He stated that DR Horton is a local company, but on a local level all of the houses that are built are by local developers, local general contractors, and the employees are largely central Alabama residents. He stated that the comprehensive plan says high density development, they are proposing a development that is about 2 units per acre. He stated they are going to build houses that are a higher quality than the surrounding neighborhoods, which will raise the property values, brick, hardy siding and no vinyl siding.

Mr. Turner asked Mr. Lake if the company had met with the residents of Northwood Gardens. Mr. Lake stated they sent out the letter, they have had about 4 or 5 residents reach out and have had conversations with them. He stated the goal was to have the conversations, maybe meet with the HOA director over the phone, then if an in-person meeting was requested, they would do that. He stated the letter was sent in order for them to be the most efficient. Mr. Turner asked Mr. Lake to speak to where some of their confusion is because its one neighborhood but its also separate neighborhoods and how that will work from an HOA standpoint. Mr. Lake stated that he does this stuff all the time and this is a confusing project for him. He stated that the reason they named it those two ways is Northwood Gardens is a standing phase right now in the City's documents, they thought it was the simplest way to name it. He stated that this proposed plan is one neighborhood, one HOA and the residents of this proposed neighborhood would be the only residents that would be part of the amenities and then there is a drainage pond so in all fairness there would be a cost share agreement put into place for the other residents of Northwood Gardens to maintain the drainage pond.

Mr. Houston asked Mr. Lake if he had had conversations with the landowner that owns the property at the light. Mr. Lake stated he has, there is more of this property that he is under contract with, that is more of a commercial use, and they are a residential company. He stated that he has had conversations with them and all he can speak to is what he can control which is the property that is planned, but if development were to continue in the future we would want to connect that onto 43. Mr. Lake stated that they see that the ordinance states not wanting the views to be dominated by garages, they would really like to accommodate that, they want to do that by doing some landscaping and side entry housing where they can. He stated there are a few challenges there though, when you have 65' lot it is difficult to do a courtyard plan, they are trying to do their part by to match. Mr. Kemp stated that was his concern because he knows that they are already seeing a flood of these special district requests, they are set up for a reason, his real concern is exactly what Mr. Lake said. He stated that it appears as if they are trying to tweak it to a point where they think it might skirt by the requirements, particularly the part about the garages. Mr. Lake stated his only question is with the special district the only way you can get smaller than a 70' lot, which makes it difficult not to build a house where the garage is in the front, in some cases, some of these lots are corner lots and they could do a side entry. He stated that the special district as he understands it, your able to get smaller lots but you are able to get the community benefit and in their eyes they have a lot of open space, its highly amenitized and they are going to build some really nice houses and it does settle a fire code issue.

Chairman Turner opened the floor for a public hearing.

Councilman Woodrow Washington, spoke at the podium. He spoke on behalf of the residents. He stated that the residents were concerned about traffic, and not sharing the amenities but wanting to share the roads.

Kevin Almond, 4704 Oak Way, spoke at the podium. He spoke on behalf of the residents and HOA. He stated that they were concerned about the safety, traffic and they are disappointed in the developer.

Todd Borst, 4107 Savannah Street, spoke at the podium. He stated that he is concerned about traffic.

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

Chairman Turner closed the floor for a public hearing.

Mr. Lake spoke at the podium to address the neighbors concerns. He stated that Northwood Gardens as it stands today, do not meet the fire code, so in one way this would give you two access points. He stated that when talking with Skipper Consulting a lot of the residents are likely going to come to the south to get out onto 43. He stated that Mr. Almond mentioned how the houses in this neighborhood would not be as expensive as the ones in Northwood Estates, Mr. Lake stated those are bigger lots so those are bigger houses, they would project to sell these houses in the low \$300,000-low \$400,000. He also stated that DR Horton has sold 980 homes in Central Alabama alone, the average survey from the buyers is 4.8 out of 5.

Mrs. Kelly asked if this is the order in which we would vote: Annexation first which is the Magnolia Hills West property, Master Plan Revision would be second, then Rezoning to Special District for both parcels. Mrs. Kelly also asked out of the 101 parcels that would meet the 50' width of the Special District how are they distributed across Northwood Gardens Phase 4 and Magnolia Hills West. Mrs. Ramm stated that out of the 115 lots there are 28 lots in what is going to be called Northwood Gardens and the remainder of them would be Magnolia Hills West. Mrs. Kelly asked how many out of the 28 are reliant on being rezoned Special District so that you are able to have a smaller lot size. Mrs. Ramm stated that the sizes of all of the lots in Northwood Gardens Phase 4 would increase. Mrs. Kelly asked if the lot sizes are bigger than 50' and if they meet RS-1, RS-2, or RS-3 lot sizes. Mr. Patten stated that they do not have a breakdown of the individual sections as far as which ones meet those regulations, however there is a table in the staff report that shows there are two lots throughout the neighborhood that meet RS-1 and 11 that meet RS-3 standards so all of the others would be either typical SD sizes or the one that's non-conforming. Mrs. Kelly wanted to confirm that 101 out of 115 are reliant upon being rezoned special district to have smaller lot sizes. Mr. Patten stated that was correct. Mr. Turner asked if the existing Northwood Gardens is already SD. Mrs. Ramm stated that it is currently SD but it is not associated with an approved Special District Plan which they would have to get approved according to the new ordinance, but she clarified the question she was answering for Mrs. Kelly, she was comparing the previous master plan for Northwood Gardens to what is being proposed now. Mrs. Kelly asked if they have to approve the master plan revision before the rezoning and the current master plan revision is reliant upon being rezoned special district because the lot sizes are smaller, how can you approve a master plan prior to rezoning for special district and the lot sizes only apply to a special district. Mr. Patten stated the best way to handle that would be like a preliminary plat that's heard before a rezoning case, it would need to be contingent on the rezoning being finalized. Mrs. Ramm stated they would not be able to move forward with development of those lots until City Council approved that SD plan. Mrs. Ramm also stated they ordered it that way because you have the 13 acres that are associated with a different master plan so they thought that was best way to handle it. Mrs. Kelly stated that she was just concerned about approving a master plan revision prior to a rezoning request, not knowing if it would be approved or not. Mr. Turner stated that the way he would see it is if the master plan didn't get approved then you cannot rezone per what is being presented. Mrs. Ramm stated that was correct. Mrs. Kelly asked if the master plan revision is approved but the rezoning is not, does that negate the master plan? Mrs. Ramm stated that one way or the other they have to get a special district plan.

Mr. Houston asked Mr. Lake it was stated that Northwood Gardens currently doesn't meet the fire code, there doesn't seem to be any resistance to Magnolia Hills West, all the resistance seems to be Northwood Gardens, is the reason you're going after Northwood Garden then adding it together so Magnolia Hills West has the two access points? Is this deal contingent on them needing Northwood Gardens and is that because they would not have the two access points? Mr. Lake stated that was correct, if they propose this plan and did not show a secondary access that would not meet fire code.

Mr. Randolph asked staff the original master plan for Northwood Gardens showed a dead end/cul-de-sac with no connection to this other property, property owners within that neighborhood purchased those properties with that in mind, since this access is needed for fire, would a gate across the road satisfy that requirement? Mr. Patten stated that is a question that can only definitively be answered by the fire department. Mr. Matthews stated that he is not aware of any decision that has been made by the fire department specific to this case, there are some cases where gates have been approved for secondary access, in general they prefer not to approve the gate because it does slow the response time. Mr. Randolph stated that this special district, while it does allow smaller lot sizes should be special, and that has been discussed in other meetings, sometimes it comes across that the objective here is just to get smaller lots, but we're not addressing most of the requirements.

Mr. Turner stated that there is a reasonable expectation that with the homeowner in Northwood Gardens/Northwood Estates master plan that when they bought those homes they were at the end of a street and end of a cul-de-sac and amending that plan to create a one neighborhood/two neighborhood isn't doing what they should be doing, which is building a community and building where you feel like you belong to a neighborhood. Mr. Turner stated that if you're in this area, you do not know which neighborhood you are in. Mr. Turner also stated that he believes the access should be on 43 and an unwilling property owner, doesn't mean the city has to come in and amend the other neighborhoods access points and master plans because something is not working in another area.

Mr. Chandler stated his concern with amending the master plan is mainly just to create a second connection for Magnolia Hills, especially when there is another access point available at Flatwoods Road.

Motion by Mr. Turner to make a favorable recommendation to the City Council to annex approximately 28.6 acres for the property located south of the Northwood Estates subdivision and west of the Magnolia Hills subdivision with an original zoning of RS-1. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mrs. Kelly – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes. **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.

Motion by Mr. Turner to make a favorable recommendation to the City Council for the rezoning of approximately 48.9 acres from RS-1 (Residential Single-Family 1) and C3 (General Commercial) to SD (Special District) with Special District plan approval for the property located south of the Northwood Estates subdivision and west of the Magnolia Hills subdivision. **Seconded by Mr. Wiggins.** Mr. Turner – No; Mr. Wiggins – No; Mr. Chandler – No; Mr. Houston – No; Mrs. Kelly – No; Mr. Kemp – No; Mr. Lewis – No; Mr. Randolph - No; and Mr. Ward – No. **Motion Failed.**

C. **S-25-13 Northwood Gardens Master Plan Revision** – Longleaf Engineering is requesting a revision to the master plan for approximately 17.11 acres located adjacent to the existing Northwood Gardens and Northwood Estates.

Motion by Mr. Turner to approve the revision Northwood Gardens and Northwood Estates Master Plan.
Seconded by Mr. Lewis. Mr. Turner – No; Mr. Lewis – No; Mr. Chandler – No; Mr. Houston – No; Mr. Kemp – No; Mr. Randolph - No; and Mr. Ward – No; Mr. Wiggins – No. **Motion Failed.**

D. **S-25-10 University Beach, LLC**– University Beach is requesting preliminary plat approval of approximately 61.2 acres located north of McFarland Boulevard and east of Harper Road.

Mrs. Ramm stated that University Beach, LLC is requesting preliminary plat approval for approximately 61.2 acres located north of McFarland Boulevard and east of Harper Road. The property is currently divided into 4 parcels. The proposed plat would establish 4 nonresidential lots and 47 single-family detached residential lots. Special District zoning was approved for this property in May 2025. The approved Special District plan showed conceptual and alternative lot configurations on sheets SD3.2, SD6.1, SD7.1, SD8.1, SD11.1, SD12.1, and SD13.1. The proposed preliminary plat follows lot lines shown in the Special District plan. It should be noted that residential lots 48-50 have been removed from this proposed plat phase to comply with fire code requirements. The approved Special District plan specifies waivers for stub street to the east, public street width, and public ROW width. The Special District approval also included a condition that all public sidewalks in the plan be at least six feet wide. The plat conforms to the approved Special District plan regarding sidewalks, stub streets, street width and ROW width, so no waivers need to be approved by the Commission. 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 plat are consistent 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. Turner asked staff if this is phase one should the phasing lines be shown. Mrs. Ramm stated the other portion is labeled as not part of this subdivision at this time. Mr. Turner asked if that would be phase 2. Mrs. Ramm stated that she believed so. Mr. Turner stated he went back and looked at what the council had approved with the phase of the plan and in that phasing plan it has a note for phasing boundaries to be finalized at the submittal of the preliminary plat. Mrs. Ramm stated that this was phase 1. Mr. Turner stated that what is not part of the subdivision is phase 2. Mrs. Ramm stated as far as she knows that is correct.

Mr. Turner asked staff on this SD 5.1 the site circulation plan, there was a note that vehicle circulation and pedestrian facilities to be finalized at the submittal of preliminary plat. He stated the Preliminary plat does not show all pedestrian facilities. (Private sidewalk connection in residential area.) Public sidewalk not in ROW at parallel parking on University Beach Drive. Mrs. Ramm stated she did see sidewalks that are shown on the preliminary plat but Mr. Turner may want to get some clarification from the applicant.

Mr. Turner asked staff on SD 7.1 there is a note that says the open space types and locations to be finalized at the submittal of preliminary plat, that is not shown on the plat. Mrs. Ramm stated that was addressed on the narrative of the SD Plan that was approved by council.

Mr. Turner stated that on SD 8.1 on the drainage plan, shows all of the storm drainage being piped and going to the detention pond, preliminary plat shows drainage being piped from single-family residential area to area labeled "Property Not Part Of This Subdivision" with no easement to convey drainage through said property, drainage behind parking spots along Winner's Circle Drive not shown in easement. Mr. Turner asked Mr. Matthews if there should be an easement if all of the drainage is being piped into an area that is not part of the subdivision. Mr. Matthews stated that he could not see what Mr. Turner was referring to.

Mr. Turner stated the note on SD 10.1 the use boundaries to be finalized at the submittal of preliminary plat, that is not on the preliminary plat.

Mr. Turner stated the note on SD 11.1 there are two common space lots shown: CS1 +/- 4.20 acres, CS2 (Lagoon) +/- 12.3 acres; 11 non-residential lots shown in "Phase I". Preliminary plat differs substantially.

Mr. Turner stated the note on SD 12.1 does not dimension ROW or provide cross-section for Harper Road, Harper Road is not listed in waiver request letter for ROW width. Mr. Turner also stated that the subdivision is not named "phase 1", so he doesn't know if there are 2 phases, 3 phases, or if this is the only phase.

Mr. Turner stated that the sewer on lot 2 is not within a utility easement which is required by section 901 in the subdivision regulations, so he doesn't know if that is a public or private sewer.

Andy McCartney, TTL, 3200 Rice Mine Road NE, spoke at the podium. He stated that Mr. Turner brought up some things that are not shown on the preliminary plat, to save everyone's time, they are requesting the subdivision be postponed to next month.

Chairman Turner opened the floor for a public hearing.

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

Motion by Mr. Turner to continue the preliminary plat for approximately 61.2 acres for the University Beach Subdivision to the July Meeting. **Seconded by Mr. Kemp.** Voice vote was given. **Motion Carried.**

E. **SP-25-1 Rapid Results, 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.

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. 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 and Noise Control. The proposed use is not in conflict with the comprehensive plan.

Mr. Turner asked staff to confirm that it has kind of already been operating in this use. Mrs. Ramm confirmed that was correct.

Malcolm Nealy, 1021 Martin Luther King Jr. Drive, spoke at the podium. She stated that currently they are using the space as a gym, they have circuit classes: 5:30am, 10:30am & 6:30pm, their time of operation does not usually interfere with the businesses around them. She stated that they are about 45 minutes to an hour each and about 10-15 people per class section, they have been to work not in conflict with the businesses in the surrounding areas for a decent amount of time.

Mr. Turner asked the applicant if they are utilizing multiple units. Mr. Nealy stated that was correct. Mr. Wiggins asked the applicant if they had taken out any walls or if it was already open. Mr. Nealy stated it is 5 units and they were all open, they caught it at the beginning of the build so they did not build any walls in the middle of the units. Mr. Kemp asked what the hours of operation are. Mr. Nealy stated they are open at 5:30 am, 10:30 am, & 6:30 pm. Mr. Kemp asked if they were headed towards one of the 24 gyms. Mr. Nealy said they were not, they do private group training. Mr. Randolph asked if they had one class at a time. Mr. Nealy stated that was correct, they have 10-15 people at the max. Mr. Houston asked the applicant how they have been operating. Mr. Nealy stated since 2023. Mr. Randolph asked if there was any come and go training. Mr. Nealy stated it is all class training.

Chairman Turner opened the floor for a public hearing.

Councilman Woodrow Washington, spoke at the podium. He stated that his catering kitchen is right next door and for a while they didn't even know they were there and it isn't overloading the parking lot.

Chairman Turner closed the floor for a public hearing.

Motion by Mr. Turner to make a favorable recommendation to the City Council for 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**. Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Randolph – Yes; Mr. Turner – Yes; Mr. Ward – Yes. **Motion Carried**.

New Business

- F. **S-25-11 Beeker 82 Properties** – Duncan, Coker, and Associates is requesting preliminary plat approval of approximately 9.5 acres located at 3400 McFarland Boulevard.

Mrs. Ramm stated that Duncan, Coker, and Associates are requesting preliminary plat approval for approximately 9.5 acres located at 3400 McFarland Blvd. The current property is zoned General Commercial (C-3) (Lot 2B) and Commercial Highway (C-6) (Lot 2A). They are requesting Sidewalk and Half-Street Improvement waivers with this plat. The property is surrounded by retail developments zoned Commercial Highway (C-6) to the south, single-family detached neighborhood zoned Residential Single-Family (RS-1) to the north and east, and an apartment community zoned Residential Multi-Family (RM) to the west.

Mr. Matthews stated the only thing they are asking to leave off is the curb and gutter. There is no curb and gutter in the adjacent area.

Mr. Turner asked if they had heard this one a while back. Mrs. Ramm confirmed that was correct. Mr. Turner stated that there were some private access easements and utility maintenance agreements that were apart of this, he wanted to make sure those are staying and/or get updated.

Mr. Wiggins asked if there were any changes, just to clarify what we are actually doing. Mrs. Ramm stated that splitting existing lots into two lots.

Robert Martin, 201 Towncenter Boulevard, spoke at the podium. He stated that purpose of this subdivision is to separate out the commercial piece that fronts 82 (Planet Fitness, Firehouse, & Gutheries) and then the warehouses in the back will be the second lot. He stated all of the easements that were in place for the original submittal are going to stay in place.

Mr. Turner stated that his biggest concern is that it was recorded with that plat with two lots, when the apartments were lot 1 and the frontage and warehouses were lot 2, now it is split in three lots. Mr. Martin stated they will have a new maintenance agreement. Mr. Turner asked Mr. Martin as far as the other waivers they are not doing anything new, and keeping what is there. Mr. Martin stated that was correct, there will be no new improvements.

Chairman Turner opened the floor for a public hearing.

David Ramsey, 3700 36th Avenue, spoke at the podium. He asked what was being proposed to be built. Mr. Turner stated that nothing is being proposed to be built, they are just putting in a property line.

Chairman Turner closed the floor for a public hearing.

Motion by Mr. Turner to approve the preliminary plat with waivers and with the condition that all previously recorded private access, private storm sewer, and private sanitary sewer easements and maintenance agreements are modified as necessary to the satisfaction of the City Legal Department and recorded in probate office, prior to final plat approval for approximately 9.05 acres for the property located at 3400 McFarland Boulevard. **Seconded by Mr. Lewis.** Mr. Turner – Yes; Mr. Lewis – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes; Mr. Wiggins – Yes. **Motion Carried.**

G. S-25-12 Washington Addition to Tuskaloosa Street – Montgomery and Hinkle is requesting preliminary plat approval of approximately 0.21 acres located at 1211 Bridge Avenue. **APPLICANT HAS REQUESTED TO CONTINUE TO JULY. ACTION NEEDED.**

Mrs. Ramm stated that Montgomery and Hinkle is requesting to continue the preliminary plat case.

Mr. Randolph asked the applicant to come forward, the applicant was not present at the meeting.

Mr. Randolph opened the floor for a public hearing.

With no one to appear, Mr. Randolph closed the floor for a public hearing.

Motion by Mr. Randolph to continue the preliminary plat for approximately 0.21 acres for the property located at 1211 Bridge Avenue. **Seconded by Mr. Wiggins.** Voice vote was given. **Motion Carried.**

H. R-25-5 315 Main Avenue – Boutant Holdings, LLC requests rezoning approval of approximately 0.25 acres from Residential/Commercial/Institutional (RCI) to Historic Downtown Core (HDC) located at 315 Main Avenue.

Mrs. Ramm stated that Boutant Holdings, LLC is requesting rezoning of approximately 0.25 acres located at 315 Main Avenue from Residential/Commercial/Institutional (RCI) to Historic Downtown Core (HDC). The current site consists of a single lot development used as a commercial business. It is surrounded to the east, north and south by commercial businesses zoned Historic Downtown Core (HDC) and to the west by commercial businesses zoned Residential/Commercial/Industrial (RCI). The applicant is requesting rezoning to allow for the renovation of the current property and to market the property for a variety of uses. The uses allowed within the Historic Downtown Core are retail, restaurants, entertainment, artist studios, offices, personal services, professional services, lodging, multi-family or attached housing, daycare/pre-school, institutional/civic uses (not exceeding a 5,000 sq. ft. building footprint), and parking garages (if not fronting onto Main Avenue). The proposed zoning designation matches closely with the future land use plan shown within the comprehensive plan, which shows this area as commercial mixed use.

Mr. Turner asked staff if there was any parking requirements for RCI. Mr. Patten stated that the standard parking requirements applied throughout the city apply here, however in HDC there are no parking requirements. Mr. Turner stated that they are surrounded by street parking on both sides. Mrs. Ramm stated that was correct.

Adam Tant, 4904 Lakeview Estates, spoke at the podium. He stated they are in contract to purchase 315 Main Avenue, the goal is to restore the house, the purpose of the rezoning is to be compliant with Northport's master plan, but not prohibited by the parking requirements. He stated they are not changing the foot print of the house just making upgrades and going to put a quality tenant in the building.

Mr. Turner asked the applicant if they were just going to restore and find a tenant within the uses of the zone. He also asked if it was more geared on parking. Mr. Tant stated their goal is more geared toward parking and putting a tenant in that is going to compliment downtown Northport, they want to keep the character of the house.

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 make a favorable recommendation to the City Council for the rezoning of approximately 0.25 acres located at 315 Main Avenue from Residential/Commercial/Institutional (RCI) to Historic Downtown Core (HDC). **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Lewis – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes. **Motion Carried.**

I. SP-25-2 Nellie Mae and Company, LLC – Nellie Mae and Company, LLC requests conditional approval for pet grooming in a Residential/Commercial/Institutional zone (RCI) for the property located at 703 Main Avenue. **INCOMPLETE APPLICATION.**

J. R-25-6 Canopy Properties – Canopy Properties, LLC requests rezoning of approximately 0.17 acres from General Commercial (C-3) to Residential Single-Family (RS-3) located at 2808 & 2806 18th Avenue and 1800 28th Street.

Mrs. Ramm stated that Canopy Properties, LLC is requesting rezoning of approximately 0.17 acres located 2808 & 2806 18th Avenue and 1800 28th Street from General Commercial (C-3) to Residential Single-Family (RS-3). The applicant is requesting rezoning to allow for the construction of new single-family homes. The current site consists of two vacant lots and one lot with a single-family home all zoned General Commercial (C-3). It is surrounded to the east and north by a commercial business (east) and single-family homes (north) zoned General Commercial (C-3), to the west by single family homes zoned Residential Single-Family (RS-3), and to the south by vacant land zoned Residential Multi-Family (RM). The proposed zoning designation matches closely with the future land use plan shown within the comprehensive plan, which shows this area as medium density residential.

Mr. Wiggins asked if all lots are 0.17 acres. Mrs. Ramm stated we are not real sure about the acreage.

Harrison Howell, 1460 Northbank Parkway, spoke at the podium. He confirmed that the acreage was: 2808 – 0.14; 2806 – 0.14; 1800 – 0.28. They are wanting to rezone this to build homes in the future.

Mr. Turner asked if they would meet RS-3 standards, would they be able to build without having to get a variance or anything. Mr. Patten stated that if the property were rezoned to RS-3 they would be allowed to, they could potentially have some issues with setbacks, depending on how they want to develop the site.

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 make a favorable recommendation to the City Council for the rezoning of approximately 0.56 acres located at 2808 & 2806 18th Avenue and 1800 28th Street from General Commercial (C-3) to Residential Single-Family (RS-3). **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Randolph – Yes; Mr. Turner – Yes; Mr. Ward – Yes; Mr. Wiggins – Yes. **Motion Carried.**


COMMITTEE REPORTS

OTHER AND MISCELLANEOUS BUSINESS


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

Meeting was adjourned at 7:57pm.

ATTEST:



Kevin Turner, Chairman



Julie Ramm, Secretary