

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

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, July 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. Martin Houston, Mr. David Kemp, Mr. Clay Randolph, Mr. Kevin Turner, Mr. Jason Ward, and Mr. Karl Wiggins. Absent and failed to vote: Mrs. Tracy Kelly, and Mr. Roland Lewis. 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. Randolph to approve the minutes of the regular meeting minutes for June 10, 2025. **Seconded by Mr. Kemp.** 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 Case Number R-25-7, and recused himself from voting on Case Number S-25-12 and Case Number R-25-7.

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

Disclosure of Ex Parte Communication – None

Old Business

- A. **SP-25-2 Nellie Mae and Company, LLC** – Nellie Mae and Company, LLC requests conditional use approval for pet grooming in a Residential/Commercial/Institutional zone (RCI) for the property located at 703 Main Avenue. **INCOMPLETE APPLICATION, APPLICANT HAS REQUESTED TO CONTINUE TO AUGUST MEETING. ACTION NEEDED.**

Mrs. Ramm stated that a continuance is being requested due to a incomplete application. She stated that if approved, this agenda item would be heard at the August meeting and this meeting would serve as the public notice.

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 conditional use for Nellie Mae and Company, LLC for pet grooming located in a Residential/Commercial/Institutional (RCI) zone for the property located at 703 Main Avenue. **Seconded by Mr. Randolph.** Voice vote was given. **Motion Carried.**

B. 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 10 non-residential lots, 47 single-family detached residential, and 4 common space lots. Special District zoning, along with the Special District Plan, was approved by the City Council for this property in May 2025. The approved Special District plan showed conceptual lot configurations on sheet SD11.1. The proposed preliminary plat follows lot lines shown in the Special District plan. The approved special district plan included waivers for a 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 development 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. Regarding plats for Special Districts, the Subdivision Regulations state the following: “Subdivisions within a Special District must be designed in accordance with all subdivision regulations unless otherwise shown on an approved Special District Plan. Any plat matching an approved Special District Plan shall be considered a conforming plat.” It should be noted that residential lots 48-50 have been removed from this proposed plat phase to comply with fire code requirements. Also, the eastern portion of the proposed road connecting University Beach Drive to Harper Road has been moved to phase 2. The approved Special District Plan makes allowances to adjust phase lines with the submittal of the preliminary plat. Staff has noticed a discrepancy in the street names submitted in the preliminary plat documents. However, street names will not be finalized until the final plat is recorded. This case was previously scheduled to be heard on the June, 2025 PZC agenda. Several questions were raised by the Commission during that meeting. Many of the responses above are excerpts from correspondence with the applicant. For more details on how these items have been addressed, please see the letter from TTL dated June 25, 2025 that is included in your packet. 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 stated that he wanted to just go back from the process of Special District and this being the first under the new ordinance of Special District. He stated that the developer submits a Special District Plan along with a rezoning and it comes to the commission for recommendation and then that recommendation goes forward to the City Council and at the point the City Council and their legislative discretion will lock in the zoning, then at that point, that zoning is specific and ties specifically to that plan, that development, that property, it then comes back to the Planning Commission for any platting requirements, then as long as that plat meets the Subdivision Regulations or any regulations that have been waived by the Council as part of the zoning approval and then matches that plan that had been submitted and adopted as ordinance, at that point we are saying everything is conforming. Mrs. Ramm confirmed that was correct. Mr. Turner stated he was just

trying to make sure from a broader understanding stand point, this being our first special district, under the current Zoning Ordinance, for this commission as the first project, the commission has heard other cases but none of them have made it to this point. Mrs. Ramm stated that we had the Terrace at Northcreek, but from start to finish this is the first one.

Andy McCartney, 3200 Rice Mine Road NE, spoke at the podium. He stated that Julie described everything that he was planning on saying. He stated they have addressed all of the staff's comments, all of the comments the commission brought to them. He stated that the plat shown, and the lot lines shown are literally copy and paste from what was shown on the Special District Plan.

Mr. Turner wanted to confirm that all the notes that had been added to the Special District Plan in regard to the plat, they have now submitted and addressed everything. Mr. McCartney stated that was correct.

Mr. Kemp asked Mr. McCartney what the status of this traffic light study in coordination with ALDOT? Mr. McCartney stated they submitted the traffic study to them, they reviewed it, they met with district staff and agree that a traffic signal is warranted there. Mr. Kemp asked if Mr. McCartney had a concept of the traffic signal? Mr. McCartney stated they do not, they have not gotten into the details of it at this stage. Mr. McCartney stated they are showing the proposed turn lanes and improvements on McFarland Boulevard that have also been coordinated with ALDOT. Mr. Kemp asked Mr. McCartney if he had the traffic cam count in that area. Mr. McCartney stated that he did not know it right off, but it is included in the traffic study. Mr. Kemp asked Mr. McCartney if they could have submitted the concept of the traffic approval from ALDOT. Mr. McCartney stated that the traffic study itself recommends a traffic signal and ALDOT has reviewed the traffic study and agreed that the traffic signal is warranted. Mr. Kemp stated that he does know that their access management can change even if it is warranted, that's why he asked where they were in the study, and whether one is going to go in there or not. Mr. McCartney asked Mr. Kemp if he had addressed the questions. Mr. Kemp stated that Mr. McCartney probably did not have all of the information that he is asking for and that is not on Mr. McCartney but that is just the process.

Chairman Turner opened the floor for a public hearing.

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

Mr. Houston wanted to confirm that the two things the commission is supposed to be asking is does it meet and does it match. Mr. Turner stated that was correct, on a general process standpoint you have the rezoning request which has already come through and gone to the City Council rezones property to Special District and ties it to that plan and at that point it comes back to us for plat approval to match the plan that the City Council approved. Mr. Turner stated the commission would be voting to approve phase 1 which addresses the uses, open spaces, the questions that were addressed.

Mr. Kemp asked if there was any kind of time line the developer has on creating the perimeter road. Mr. McCartney as soon as they can get the LDP the goal will be to start construction. Mr. Kemp asked if what they have right now is mainly where the residential homes will be, when they get out and start working are they going to build or tie the loop road or perimeter road all the way to McFarland or will the first two bases of access be Harper Road. Mr. McCartney stated that the next phase of development of construction would be the roads shown on the plat and the public infrastructure. Mr. Turner stated that this being phase 1 preliminary plat nothing can be platted till the whole of phase 1 is complete. Mr. Kemp stated that he was thinking that all loop road to the east would not be completed. Mr. Turner stated that what they are submitting for phase 1 the entire road, lots, and public infrastructure would have to be completed before the final plat is approved.

Mr. Wiggins asked Mr. McCartney is the size of the sidewalk going to be 6' or 10'? Mr. McCartney stated that it was originally supposed to be 4' but through council resolution it was stated between 6' & 10', they show a minimum of 6' on the plat to meet that requirement but the developer may like to go 10'.

Motion by Mr. Wiggins to approve the preliminary plat for approximately 61.2 acres for the property located north of McFarland Boulevard and east of Harper Road. **Seconded by Mr. Turner.** Mr. Wiggins – Yes; Mr. Turner – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph - Yes; and Mr. Ward – Yes. **Motion Carried.**

Mrs. Ramm stated that Mr. Turner had left the room due to the conflict of interest.

C. 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.

Mrs. Ramm stated that Montgomery and Hinkle is requesting preliminary plat approval for approximately 0.21 acres located at 1211 Bridge Avenue. The current property is zoned Residential Single-Family (RS-4). The applicant is requesting rezoning of the proposed lot 1 to Suburban Mix (SMX). Table 4-1 of the zoning ordinance details the uses allowed within the RS-1 zone, while table 6-8 lists the uses allowed within the SMX zone. Both of these tables are included at the end of this report. The applicant is requesting the following waivers: Sidewalks and Right of Way Dedication. The minimum lot size for the portion of the property remaining RS-4 is 6,000 square feet. As the proposed lot 2 falls beneath this threshold, a variance will be required from the Zoning Board of Adjustment. The applicant has applied for this variance and is on the agenda for the July, 2025 ZBA meeting. The current property consists of a residential duplex and a vacant commercial building on one lot. It is surrounded to the north across MLK Boulevard by an office building zoned General Commercial (C-3); to the east by single-family detached residential zoned Residential Single-Family (RS-4); to the south across 12th street by single family detached residential zoned Residential Single-Family (RS-4); and to the west across Bridge Avenue by an office building zoned Suburban Mix (SMX). The future land use plan contained within Northport Compass depicts this property as "General Mixed Use". The requested zoning is not in conflict with the comprehensive plan.

Mr. Matthews stated that on Bridge Avenue the existing Right of Way is 70' because Bridge Avenue is classified as an arterial, the subdivision regulations require 100' the difference being 30' and their half of that being 15'. He also stated that what the commission would be voting to approve is 15' of Right of Way dedication.

Mr. Randolph asked for clarification: the funding for design had been approved but we do not have a layout yet. Mrs. Ramm stated that was correct.

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

Vice-Chairman Randolph opened the floor for a public hearing.

Cheryl Thomas, 1803 19th Street, spoke at the podium. She asked staff to pull up the colored picture so everyone can better understand what will be going there. Mr. Kemp told her they do not know all the parts yet along Bridge Avenue, City Council approved the funding in order to look at what they are going to do. He also stated that while he can't speak for the city he feels they will be looking to add sidewalks through that area. Mrs. Thomas asked if they are talking about putting sidewalks along Bridge Avenue in front of that business or

are they talking about going down 12th Avenue. Mr. Randolph stated that tonight we are talking about the owner has requested for rezoning and for a preliminary plat approval with the current requirements around the city unless they get a waiver for Right of Way dedication and sidewalks, Mrs. Ramm was talking about a couple of projects for Bridge Avenue, one by the state and one by the city and this area would be involved in the project by the city. Mr. Houston stated that the applicant is requesting to not have to put sidewalks in and it just so happens the council approved funding recently, but the study has been approved. Mr. Kemp stated that tonight only deals with that one piece of property, one of the things we will talk about as far as a waiver, could he go in and add a sidewalk over the length of his property that may or may not get torn out. Mr. Chandler stated there are no other sidewalks to connect to in that area so they would be dead end sidewalks.

Vice-Chairman Randolph closed the floor for a public hearing.

Motion by Mr. Randolph to approve the full waiver for sidewalks along Bridge Avenue. **Seconded by Mr. Ward.** Mr. Randolph – No; Mr. Ward – Yes; Mr. Chandler – Yes; Mr. Houston – No; Mr. Kemp – No; and Mr. Wiggins – No. **Motion Failed.**

Motion by Mr. Kemp to waive the sidewalks and require payment into the sidewalk bank only on Bridge Avenue. **Seconded by Mr. Wiggins.** Mr. Kemp – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Randolph – Yes; and Mr. Ward – Yes. **Motion Carried.**

Motion by Mr. Randolph to approve the full waiver for sidewalks along 12th Street. **Seconded by Mr. Kemp.** Mr. Randolph – Yes; Mr. Kemp – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Ward – Yes; and Mr. Wiggins – Yes. **Motion Carried.**

Motion by Mr. Randolph to approve the waiver request for Right of Way dedication along Bridge Avenue. **Seconded by Mr. Wiggins.** Mr. Randolph – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; and Mr. Ward – Yes. **Motion Carried.**

Motion by Mr. Randolph to approve the preliminary plat for 0.21 acres for the property located at 1211 Bridge Avenue. **Seconded by Mr. Wiggins.** Mr. Randolph – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; and Mr. Ward – Yes. **Motion Carried.**

- D. **R-25-7 MKW Holdings** – Montgomery and Hinkle requests rezoning approval of approximately 0.12 acres from Residential Single Family (RS-4) to Suburban Mixed-Use (SMX) located at 1211 Bridge Avenue.

Mr. Chandler wanted to clarify they were only voting for lot 1. Mr. Randolph stated that was correct.

Motion by Mr. Randolph to make a favorable recommendation to the City Council to approve the rezoning of approximately 0.12 acres located at 1211 Bridge Avenue from Residential Single-Family (RS-4) to Suburban Mixed Use (SMX) **Seconded by Mr. Wiggins.** Mr. Randolph – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; and Mr. Ward – Yes. **Motion Carried.**

Mr. Turner has rejoined the meeting.

New Business

- A. **S-25-14 W&M Subdivision** – Herndon, Hicks, and Associates is requesting preliminary plat approval of approximately 0.40 acres located at 1802 18th Avenue.

Mrs. Ramm stated that Herndon, Hicks and Associates is requesting preliminary plat approval for approximately 0.40 acres located at 1802 18th Avenue. The property is currently spread across remnant portions of 3 lots. The proposed plat would consolidate the site into one lot. The following waivers are requested with this plat: Right-of-way Dedication, Half-Street Improvements, and Sidewalks. The current property consists of a vacant lot zoned General Commercial (C-3). It is surrounded to the north by a single-family residence zoned General Commercial (C-3); to the east across 18th Avenue by single-family residences zoned Residential Single-Family (RS-4); and to the south and west by a gas station zoned General Commercial (C-3). The future land use plan contained within Northport Compass depicts this property as "Limited Mixed Use". The request is not in conflict with the comprehensive plan.

Mr. Matthews stated that this is a very narrow street and a one-way street. The existing Right of Way is 25' and the regulations require it to be 60' so that is a difference of 35', so what they are requesting to be waived would be half of that which would be 17.5'. He also stated that on the half-street improvements where it does not meet the requirements, the road is 17' where it is required to be 18'.

Mr. Turner asked Mr. Matthews this is a one way street, so even with Right of Way and Half-Street you still just have an extension to the block. Mr. Matthews stated that any improvements would be of very limited value unless the city were to add additional Right of Way and improvements at another time. Mr. Turner asked if this had frontage to Lurleen. Mr. Matthews stated that this property was directly behind Circle K.

Mr. Turner asked staff in regard to zoning, you have single-family residences to the north even though they are in a commercial zone, does this version of the zoning map trying to get C-3 for the whole block. Mrs. Ramm stated that she thinks this is correct.

Mr. Chandler asked if any of the Right of Way dedications were specific to one-way streets. Mr. Matthews stated there is no difference in what is required unless it is high functioning roadway.

Bobby Herndon, 2728 Lurleen B Wallace Boulevard, spoke at the podium. He stated they have small piece of property zoned commercial that they want to put a commercial enterprise in there, they will have parking area off street, and a building. He stated they are just trying to get rid of intermediary lot lines, the current tax maps show an ally but that ally was vacated in the '90's by the Northport City Council. The ally was just platted.

Mr. Turner asked Mr. Herndon to speak more on the requested waivers. Mr. Herndon stated they are looking at building a small washateria, there would be limited car traffic, they would be parking in the parking lot not on the street, there are no sidewalks in the area, and as far as improving the street curb and gutter for 7 more feet then improving 167 more feet, that would probably create more of a safety hazard. The property is on public sewer.

Chairman Turner opened the floor for a public hearing.

Cheryl Thomas, 1803 19th Street, spoke at the podium. She stated that she is speaking on behalf of her mother, they are concerned about traffic.

Shelia Hinton, 1803 18th Avenue, spoke at the podium. She spoke on behalf of Mrs. Latasha Nalls. She stated that they are concerned about traffic, unfamiliar people, safety, and people parking in the street.

Vanessa Wells, 1802 18th Avenue, spoke at the podium. She stated that she is the owner of the property, the laundromat is not going to affect homes. She just wants to be a business owner.

Mr. Houston asked Mrs. Wells which way the business would be facing. Mrs. Wells stated that the business would face Circle K. Mr. Houston asked how many parking spaces she intends to have. Mrs. Ramm stated we will address all those questions at the site plan/LDP process. Mr. Kemp asked Mrs. Wells if the front of the building would face south or west. Mrs. Wells stated that the parking lot would face the parking lot where the Circle K is. Mr. Ward asked if it would be 24 hours. Mrs. Wells stated it will not be 24 hours. Mr. Wiggins asked to make sure we are not voting on whether or not a laundromat goes here or not. Mrs. Ramm stated that was correct, the commission is voting on a preliminary plat. Mr. Turner asked if the use they are proposing is allowed within that zone. Mr. Patten confirmed that a C-3 does allow a Laundromat by conditional use.

Mr. Turner stated that to Mr. Wiggins point, as a commission, right now they are not voting on the use or the zoning of this property. The vote tonight is not voting yes or no to a laundromat, this is strictly just to remove the lot lines.

Chairman Turner closed the floor for a public hearing.

Mr. Turner stated that doing any of these things would change the classification of the street, it would have to have improvements North and South of here to change the way the street will function.

Mr. Chandler asked if on street parking is permitted. Mr. Matthews stated that there should not be parking on the street.

Motion by Mr. Kemp to approve the preliminary plat with waivers of Right of Way dedication, Half Street Improvements and Sidewalks for approximately 0.40 acres for the property located at 1802 18th Avenue. **Seconded by Mr. Wiggins.** Mr. Kemp – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Randolph - Yes; Mr. Turner – Yes; and Mr. Ward – Yes. **Motion Carried.**

B. R-25-8 Boozer Subdivision – Herndon, Hicks and Associates is requesting rezoning of approximately 21.63 acres from Agricultural (AG) to Residential Single-Family (RS-1) for the property located at 4105 Flatwoods Road.

Motion by Mr. Turner to make a favorable recommendation to City Council to approve the rezoning of approximately 21.63 acres from Agricultural (AG) to Residential Single-Family (RS-1) for the property located at 4105 Flatwoods Road. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph – Yes; Mr. Ward – Yes. **Motion Carried.**

C. S-25-15 Boozer Subdivision – Herndon Hicks and Associates is requesting preliminary plat approval of approximately 21.63 acres located at 4105 Flatwoods Road.

Mrs. Ramm stated that Herndon, Hicks and Associates is requesting preliminary plat approval for approximately 21.63 acres located at 4105 Flatwoods Road. The property is currently contained within one lot. The proposed plat would subdivide the site into two lots. The applicant is also requesting rezoning of this property from Agricultural (AG) to Residential Single-Family (RS-1). Table 4-1 of the zoning ordinance details the uses allowed within the RS-1 zone, while table 6-1 lists the uses allowed within the AG zone. Both of these tables are included at the end of this report. The following waivers are requested with this plat: Right-of-Way Dedication, Half-Street Improvements, and Sidewalks. The current property consists of a single-family

residence zoned Agricultural (AG). It is surrounded to the north across Flatwoods Road by undeveloped property zoned Residential Single-Family (RS-1); to the east by single-family residences, some of which are unincorporated (no zoning) while the rest are zoned Residential Single-Family (RS-1); to the south by undeveloped property, some of which is unincorporated (no zoning) while the rest is zoned Residential Single-Family (RS-1); and to the west by an unincorporated single-family residence (no zoning). The future land use plan contained within Northport Compass depicts this property as "High Density Residential". The request is not in conflict with the comprehensive plan.

Mr. Matthews stated that the bridge over Mill Creek as well as the guard rail prior to that would impact being able to put sidewalks right there. As far as the Half-Street Improvements, what you are being asked to waive is curb and gutter construction.

Mr. Turner asked just to make sure that it is one property, wanting to rezone the entire thing RS-1, then the plat case will cut out the portion that has a residence on it. Mrs. Ramm stated that was correct.

Bobby Herndon, 2728 Lurleen B Wallace Boulevard, spoke at the podium. He stated that this property is owned by Lee Boozer, the property is zoned Agricultural, they want to get it rezoned to single family residence. It will be a 2.19 acre lot and a 19.5 acre lot, they are asking for a waiver from the sidewalk and half-street improvements regarding curb and gutter.

Chairman Turner opened the floor for a public hearing.

Chris Crowder, 3910 Springfield Avenue, spoke at the podium. He stated that he is concerned with the flood zone, any construction will potentially bring water toward his house.

Lee Boozer, 4105 Flatwoods Road, spoke at the podium. He stated that he owns the property and has gotten to the point where he cannot take care of the property, so he is selling everything but 2 acres. The buyer plans to only build one house on the property.

Mr. Turner stated that as far as the plat requirements when this goes to get recorded as a final plat if this gets approved before the City Engineer signs it, it has to meet all of the requirements such as FEMA which also sets the finished floor of any residence that gets built on that property has to be at. He also stated that who ever buys the property is bound by the requirements on that plat of what they can and can't build. He also stated that the other thing is this is going from AG to RS-1 and with that one property all they can do is build one house on it. Mr. Turner asked Mr. Matthews if this would still have to meet ISR. Mr. Matthews stated they are required to meet ISR. Mr. Matthew stated that the flood way and flood zone are depicted on the preliminary plat and the flood way is depicted as a drainage easement which means no construction will be allowed in the flood way.

Chairman Turner closed the floor for a public hearing.

Mr. Randolph stated that on the Half-Street Improvements the width is already there, really they would just be adding curb and gutter so in his opinion just adding a curb and gutter would probably create more drainage issues than it would help. He also stated that as part of the city's comprehensive plan it does have some type of bike/pedestrian pathway proposed for the future.

Motion by Mr. Wiggins to approve the preliminary plat with waivers for Sidewalk Construction by paying into the sidewalk bank and waiving the Half-Street Improvements for approximately 21.63 acres for the property located at 4105 Flatwoods Road. **Seconded by Mr. Turner.** Mr. Wiggins – Yes; Mr. Turner – Yes; Mr.

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

D. S-25-16 82 Properties – Herndon, Hicks and Associates is requesting preliminary plat approval of approximately 8.7 acres located at 5105 McFarland Boulevard.

Mrs. Ramm stated that Herndon, Hicks and Associates is requesting preliminary plat approval for approximately 8.7 acres located at 5105 McFarland Boulevard. The property is currently contained within one lot. The proposed plat would subdivide the site into 4 lots. The following waivers are requested with this plat: Access. The current property consists of a vacant lot that is zoned Highway Commercial (C-6). It is surrounded to the north across Highway 82 by a vacant lot zoned Highway Commercial (C-6), to the east by a fast food restaurant and a heavy equipment rental business zoned Highway Commercial (C-6), to the south by a mobile home park zoned Mobile Home Park (MHP), and to the west by a mobile home park zoned Mobile Home Park (MHP) and a retail business zoned Highway Commercial (C-6). The future land use plan contained within Northport Compass depicts this property as “Commercial Mix” and “Limited Mixed-Use”. The request is not in conflict with the comprehensive plan.

Mr. Turner asked Mr. Matthews they are proposing a cross access easement across lots 2 & 3, would there need to be a need for denying access to US 82 for those two lots. Mr. Matthews stated that he doesn’t see any chance ALDOT would allow them to have individual access to the individual lots but you could certainly attach that to the petition. Mr. Turner stated that lot 1 will be the main access point, lot 2 & 3 will have the cross access easement and lot 4 will also access the private street.

Bobby Herndon, 2728 Lurleen B Wallace Boulevard, spoke at the podium. He stated that this is across from University Beach development, this is a 4-lot development, lots 2 & 3 will have highway frontage but with everything going on in the area, they will not allow anyone to use it. He stated parking lots will be managed by developers.

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 stated that we have had some like this in the past, we have put the condition that the private access easement and maintenance agreement be approved by the City’s legal department and then be recorded in probate prior to signing the final plat.

Motion by Mr. Turner to approve the preliminary plat with waiver of public street access for lot 4 with the condition that the easement and maintenance agreement be approved by the City’s legal department and then be recorded in probate prior to signing the final plat and lot 2 & 3 are denied direct access from US Highway 82. for approximately 8.7 acres located at 5105 McFarland Boulevard. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph – Yes; Mr. Ward – Yes. **Motion Carried.**

E. S-25-17 Thornton’s Resurvey of East Knollwood – Herndon, Hicks and Associates is requesting preliminary plat approval of approximately 8.7 acres located at 5105 McFarland Boulevard.

Mrs. Ramm stated that Montgomery and Hinkle is requesting preliminary plat approval for approximately 5.5 acres located at 13777 Frank Lary Road. The property is currently contained within one lot. The proposed plat would subdivide the site into 4 lots. The following waivers are requested with this plat: Capped Sewer, Half-Street Improvements, and Sidewalks. The current property consists of a single-family residence on one unincorporated lot (no zoning). It is surrounded to the north by unincorporated single-family residential (no zoning); to the east by unincorporated single-family residential (no zoning); to the south across Knollwood Road by an unincorporated undeveloped lot (no zoning); and to the west across Frank Lary Road by unincorporated land that is a mixture of undeveloped lots and a single-family residence (no zoning). The future land use plan contained within Northport Compass depicts this property as "Low Density Residential", which is defined as "single-family detached houses on relatively large lots – 15,000 square feet or larger". The smallest lot proposed within this plat would be approximately 37,000 square feet. The request is not in conflict with the comprehensive plan.

Mr. Matthews stated that the county also supported the half-street improvement waiver and as far as capped sewer goes, there is no public sewer in this area or any plans to extend.

Mr. Turner asked if these lots met the standards for the county and the lots in the entire planning jurisdiction. Mrs. Ramm stated it does meet the standards.

Mr. Turner asked the petitioner to come forward; the petitioner was not present at the meeting.

Chairman Turner opened the floor for a public hearing.

Lloyd Junkin, 11811 Knollwood Road, spoke at the podium. He stated that he is concerned about water runoff.

Chairman Turner closed the floor for a public hearing.

Mr. Turner stated that procedurally they cannot continue without it being requested by the petitioner. Mr. Turner asked Mrs. Ramm if even though it is in our planning jurisdiction, do subdivisions like this still go to the County Commission. Mrs. Ramm stated she believes they still go to the County Commission for approval even though they do come to the Planning Commission. Mr. Turner asked Mr. Matthews if Mr. Junkin's concern would be something we could answer, the county would have to address this. Mr. Matthews stated that being inside the planning jurisdiction and not inside the corporate limits, our zoning ordinance would not be applicable.

Mr. Martin asked if we could approve it with the condition that this is approved (verify wording) pending speaking with petitioner. Mr. Turner stated that we could put conditions on it but it would have to be applicable to the plat itself.

Mr. Turner asked if ultimately this is the County's jurisdiction. Mr. Randolph asked if there was an order in how they present this. Mrs. Ramm stated that her understanding is that it goes to us first then the county. Mr. Randolph asked if we don't approve it the county won't hear it. Mrs. Ramm stated that would be her understanding. Mr. Martin asked if what we are doing is voting on whether we would allow more lots or not.

Mr. Wiggins asked legal if the commission voted no, is it legally supported to vote no just because the petitioner is not here. Mrs. King stated that it is not supported, you must have a valid reason, it has to be related to the plat itself.

Motion by Mr. Turner to approve the preliminary plat with waivers sidewalk construction, half-street improvements along Frank Lary Road and Knollwood Road, and capped sewer construction for approximately 5.5 acres located at 13777 Frank Lary Road. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – No; Mr. Randolph – Yes; Mr. Ward – Yes. **Motion Carried.**

Mr. Kemp stated his reasoning for saying no is that by not having the petitioner there, he cannot ask pertinent questions.

F. **ANX-25-4 Benjamin Caleb New** – Benjamin Caleb New requests annexation of approximately 1.46 acres located at 13469 Mount Olive Road.

Mrs. Ramm stated that Benjamin Caleb New is requesting annexation of approximately 1.46 acres located at 13469 Mount Olive Road. The reason for this request is to obtain city water service, which requires annexation when possible. This property is currently an unincorporated undeveloped lot (no zoning). It is surrounded to the north across Mount Olive Road by an unincorporated undeveloped lot (no zoning); to the east by an undeveloped lot zoned Special District (SD); and to the south and west by an unincorporated undeveloped lot (no zoning). The applicant is requesting Residential Single-Family (RS-1) zoning. The proposed use is single-family residential. This property does not lie within the priority growth areas identified in the comprehensive plan. It is, however, contiguous to the city limits and eligible to request annexation. The future land use plan within Northport Compass identifies this property as “Low Density Residential”. The proposed use and requested zoning does not conflict with the comprehensive plan.

Caleb New, 13469 Mount Olive Road, spoke at the podium. He stated he is annexing in to get city services.

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 City Council to annex approximately 1.46 acres for the property located at 13469 Mount Olive Road. **Seconded by Mr. Wiggins.** Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph – Yes; Mr. Ward – Yes. **Motion Carried.**

G. **ANX-25-5 Dorothy Tucker** – Dorothy Tucker requests annexation of approximately 1 acres located at 10470 Jones Road.

Mrs. Ramm stated that Dorothy Tucker is requesting annexation of approximately 1 acre located at 10470 Jones Road. The reason for this request is to obtain city water service, which requires annexation when possible. This property is currently an unincorporated undeveloped lot (no zoning). It is surrounded to the north by an unincorporated single-family residence (no zoning); to the east by a single-family residence zoned Residential Single-Family (RS-1); to the south by an unincorporated undeveloped lot (no zoning); and to the west by a single-family residence zoned Residential Single-Family (RS-1). The applicant is requesting Residential Single-Family (RS-1) zoning. The proposed use is a manufactured home. This property lies within the priority growth areas identified in the comprehensive plan. The future land use plan within Northport Compass identifies this property as “Medium Density Residential”. The proposed use and requested zoning does not conflict with the comprehensive plan.

Keisha Collins, 94470 Charlie Shirley Road, spoke at the podium. She stated her mom gave her daughter permission to put a mobile home on the lot and they just need city services.

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 City Council to annex approximately 1 acre for the property located at 10470 Jones Road. **Seconded by Mr. Wiggins**. Mr. Turner – Yes; Mr. Wiggins – Yes; Mr. Chandler – Yes; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph – Yes; Mr. Ward – Yes. **Motion Carried.**

H. SP-25-4 West End Management, LLC – West End Management, LLC requests conditional use approval for minor automotive repair in a General Commercial (C-3) zone for the property located at 2118 Lurleen B Wallace Boulevard.

Mrs. Ramm stated that West End Management, LLC is requesting conditional use approval for Minor Automotive Repair in a General Commercial (C-3) zone for the property located at 2118 Lurleen B Wallace Boulevard. The proposed use would contain a wheel and tire shop in an existing building. No new construction is proposed with this request. The property was previously used as an auto repair shop, but has been vacant for more than six months. As a result, the prior use has lost its legal nonconforming status and now requires conditional use approval to resume similar operations under current zoning regulations. The current property consists of a vacant commercial building zoned General Commercial (C-3). It is surrounded to the north across 22nd Street by an undeveloped lot zoned General Commercial (C-3); to the east across Lurleen B Wallace Blvd by a retail store zoned General Commercial (C-3); to the south by an office building zoned General Commercial (C-3); and to the west by an office building zoned General Commercial (C-3). 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, Screening, and Vehicle Storage. The draft for the Northport Compass plan shows this area as “Commercial Mix”. The proposed use is not in conflict with the comprehensive plan.

Mr. Turner asked if this was part of the zoning ordinance update. Mr. Patten stated that was one of the changes in the zoning ordinance that went into effect in December, if a property sits vacant for 6 months or longer the use would have to come into compliance with the ordinance and that use is no longer permitted by right in that zone.

Mohammed Allegar, Mississippi, spoke at the podium. He stated they have shops all over and operate 24 hours/7 days a week. They did not know about the grandfather status when they leased it.

Mr. Turner asked if they were leasing it from West End Management. Mr. Allegar confirmed that was correct.

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 when you say construction you mean altering the footprint of the building, not so much as work that has been done as far as saying there is no construction proposed. Mrs. Ramm stated we have not been made aware of any construction.

Mr. Allegar stated that the only thing that was done without a permit was a fence.

Mr. Turner stated that this goes back to going over the comprehensive plan back in 2023, one of the things he appreciated that came out of it from the public was about the City's gateways. Lurleen B Wallace Boulevard is one of the biggest gateways, one of the issue that was brought up in the comp plan were the high visibility commercial areas do not project a clean image for Northport and in his opinion the more minor auto repair we are seeing is not addressing this issue. We are wanting to attract the businesses that address the issues of the comp plan, this gateway is a big thing.

Mr. Houston asked if there was any legal concern from the fact they have had the building for 3 months, does the 3 months get inside of the 6 months. Mrs. King asked if we knew the exact date it became occupied. Mr. Patten stated that he did not know the exact date but they could look at the business license or utility documents, but he is pretty sure the six months was well before they started leasing it. Mrs. King stated even if they were leasing the facility if they weren't properly licensed they couldn't have been operating a conforming business.

Motion by Mr. Turner to make a favorable recommendation to City Council for the conditional use for West End Management, LLC for a minor automotive repair in a General Commercial (C-3) zone for the property located at 2118 Lurleen B Wallace Boulevard. **Seconded by Mr. Wiggins.** Mr. Turner – No; Mr. Wiggins – Yes; Mr. Chandler – No; Mr. Houston – Yes; Mr. Kemp – Yes; Mr. Randolph – No; Mr. Ward – Yes. **Motion Carried.**

COMMITTEE REPORTS

OTHER AND MISCELLANEOUS BUSINESS

The league of women voters has scheduled a forum for the upcoming election, that meeting is scheduled for August 12, there are 2 commission members running and we would like to give the public the opportunity to attend both events. We would like to reschedule to August 14th or August 19th.

Brian Chandler would not be able to be there on August 14th.

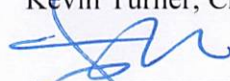
Motion by Mr. Turner to change the August Planning and Zoning Commission meeting to August 19th. **Seconded by Mr. Randolph.** Voice vote given. **Motion Carried.**

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

Meeting was adjourned at 7:57pm.



Kevin Turner, Chairman



Julie Ramm, Secretary

ATTEST: