

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, April 09, 2019**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, April 09, 2019, in the Council Chambers at Northport City Hall.

The meeting was called to order by Vice Chairman Shawn Blackburn. Upon roll call the following members were found to be present: Mrs. Nancy Dawkins, Mr. Michael Manson, Mr. John Myers, Mr. Dale Phillips, and Tony Roberts. Absent and failing to vote was Mr. David Kemp, Jerry Pruitt and Mr. Brian Wysock. Staff present were Julie Ramm, Interim Planning Director, Holly Phillips, Engineer, Ron Davis, City Attorney, and Nannette McKinney, Administrative Assistant.

Approval of agenda – Motion by Mr. Dale Phillips to approve agenda. **Seconded by Mr. Tony Roberts.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Roberts-Yes; Mr. Blackburn-Yes; Mrs. Dawkins-Yes; Mr. Manson-Yes; and Mr. Myers-Yes; Motion **carried.**

Approval of minutes- March 12, 2019. **Motion by Mr. Jerry Pruitt** to approve both sets of minutes. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Manson-Yes; Mr. Blackburn-Yes; Mrs. Dawkins-Yes; Mr. Myers-Yes; Mr. Phillips-Yes; and Mr. Wysock-Yes. **Motion carried.**

Verification of Proper Notification - Mrs. Ramm confirmed this was done

Verification of No Conflict of Interest – Mr. Brian Wysock absent due to conflict

Information on Back of Agenda - Chairman explained the meeting procedures on the Agenda.

OLD BUSINESS – None

NEW BUSINESS

R-02-19 Northport Baptist Church - Requests Rezoning approval for RS/OI to OI located at 1004 Main Avenue.

Julie Ramm stated Northport Baptist Church is requesting to rezone .66 acres from RS-3 to O/I Office/Institutional. This parcel is located north of 10th Street and west of Main Avenue and south of 12th Street. The adjacent zoning to the north and east is Office Institutional. The Church is proposing to construct a student life center adjacent to the existing gym located on this same parcel. The proposed use and construction are allowed in the requested zone. This will be a recommendation to Council.

Jason Coker, McGiffert and Associates, LLC, 2814 Stillman Blvd. Tuscaloosa, AL 35401, representing Northport Baptist Church stated the reason for this rezoning is to allow the church to expand their facilities and build a Student Life Center.

Joe Darden, 410 Woodland Forrest Drive, Tuscaloosa, AL 35405, I am a Retired Mechanical Engineer. I own a house on 12th Street. I notice we are planning some sidewalks along 12th Street. I would like to know the reason for that because the building itself is off 10th Street.

Tony Roberts stated the request is a waiver on the sidewalks for 12th Street not actually putting a sidewalks in. It is a part of the next item on the agenda S-08-19PP. They are purposing a waiver not to install the sidewalk.

Motion by Mr. Tony Roberts to make a favorable recommendation to Council for Rezoning approval for RS/OI to OI (Office and Institutional) located at 1004 Main Avenue, Northport, Alabama **Seconded by Mr. Michael Manson**. Roll call vote was as follows: Mr. Roberts -Yes; Mr. Manson-Yes; Mrs. Dawkins-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; and Mr. Phillips-Yes; **Motion carried.**

S-08-19PP Northport Baptist Church – requests Preliminary Plat approval for approximately 5.8 acres located at 1004 Main Avenue. **Waivers:** Showing all utilities on the Preliminary Plat, Sidewalks along 12th Street, Half Street Improvements along 10th Street, Right-of-Way Dedication along 10th Street and Right-of-Way Dedication along Main Avenue.

Julie Ramm stated Northport Baptist Church is requesting Preliminary Plat approval for 5.8 acres located at 1004 Main Avenue. The current use of the property is for worship and parking facilities for the church. The petitioner is proposing to construct a student life center on the southern portion of the property near 10th Street. The following waivers are requested: Showing all utilities on the Preliminary Plat, Sidewalks along 12th Street, Half Street Improvements along 10 Street, Right-Of-Way Dedication along 10th Street, and Right-of-Way Dedication along Main Avenue. The petitioner will show utilities on the construction plans during the development approval process.

Jason Coker, McGiffert and Associates, 2814 Stillman Blvd. Tuscaloosa, AL 35401, representing Northport Baptist Church stated the church purpose to build a Student Life Center on the South side of the existing gymnasium which would be on the west portion of the old chapel on the intersection of Main Avenue and 10th Street. We are purposing building sidewalks to connect to the parking lot and to the existing sidewalks that are along the north side of 10th Street and that are along the South boundary of the existing Chapel. The sidewalks will connect to the existing parking lot running along side the existing gymnasium. There are no purpose improvements on Main Avenue. The existing Utilities are there, we will have to reroute some existing storm sewer during the construction and planning of the property. We will address that a later time. The right of way on 10th Street will be into the existing building. The church is an historical type building the chance of the building going away are slim. In conjunction with and for similar reasons as stated in the waiver request for the half-Street improvements along 10th Street, future widening of the road will not be feasible in the area and therefore providing the additional right-of-way on this portion of the property will not be beneficial to the City in regard to further street improvements/widening.

Joe Darden asked if there were any plans for Main Avenue?

Jason Coker stated at this point there are no plans for Main Avenue.

Tony Roberts stated 12th street is already curbed and very narrow.

Holly Phillips stated the right of way dedication is 80 feet long

Tony Roberts stated the Right of Way on Main Street would be giving up a maximum of 4 feet.

Holly Phillips stated they would have to ask ZBA to do a 9 ft setback.

Jason Coker stated to give you an idea where the building would be in relation to the Right-of-Way if we dedicated the full 25' would actually be about 14 feet from the Right-of-Way

Tony Roberts stated there will be no work done on 12th or Main. It can get confusing with the code, but you have to address the entire perimeter of the property.

Motion by Mr. Tony Robert to approve the waiver to show all utilities on the Preliminary Plat. **Second by Mr. Dale Phillips**. Roll call vote was as follows: Mr. Roberts - Yes; Mr. Phillips - Yes; Mr. Blackburn-Yes; Mrs. Dawkins -Yes; Mr. Manson -Yes; Mr. Myers - Yes. **Motion Carried.**

Motion by Mr. Dale Phillips to approve Sidewalks along 12th Street. **Second by Michael Manson**. Roll call vote was as follows: Mr. Phillips-Yes; Mr. Manson-Yes; Mr. Blackman -Yes; Mrs. Dawkins -Yes; Mr. Myers - Yes; Mr. Roberts - Yes **Motion Carried**

Motion by Mr. Tony Roberts to approve the waiver for Half street Improvements along 10th Street. **Second by John Myers** Roll call vote was as follows: Mr. Roberts – Yes; Mr. Myers – Yes; Mr. Blackburn-Yes; Mrs. Dawkins -Yes; Mr. Manson -Yes; and Mr. Phillips **Motion Carried.**

Motion by Mr. Tony Roberts to grant Right-of-Way Dedication along 10th Street. **Second by Michael Manson** Roll call vote was as follows: Mr. Roberts -No; Mr. Manson – No; Mr. Blackburn-No; Mrs. Dawkins -No; Mr. Phillips – No; Mr. Myers -Yes; **Motion Failed**

Motion by Mr. Tony Roberts to grant the variance request on Right-of-Way Dedication along Main Avenue. **Second by Dale Phillips** Roll call vote was as follows: Mr. Roberts -Yes; Mr. Phillips -Yes; Mr. Blackburn - Yes; Mrs. Dawkins -Yes; Mr. Manson -Yes; Mr. Myers - Yes **Motion Carried**

Motion by Mr. Tony Roberts to grant the requested Preliminary Plat with the approval of variances for Utilities, Sidewalks along 12th Street, Half Street Improvements along 10th Street, and Right-of-Way Dedication along Main Avenue. I will also advocate taking this to ZBA to express we agree. **Second by Michael Manson** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Blackburn-Yes; Manson-Yes; Mrs. Dawkins -Yes; Mr. Myers -Yes; Mr. Phillips and Mr. Wysock-Yes. **Motion Carried**

Barkley Mallett, WRA Construction stated from the Right of Way that we are asking at the ZBA will not take affect on the existing building now. In future if that building is torn or burned down, they would have to comply with the rebuilding in the city ordinance.

Julie Ramm asked for clarification of the right of way on 10th Street being the entire portion of 10th street or just the portion where there is no existing structure?

Tony Roberts stated it must be for the entire Southern boundary

Ron Davis stated the entire Southern boundary. It will only be 25 feet from the center line

Holly Phillip stated whatever improvements that are made 25 feet would be enough.

Ron Davis stated that will not impact at all what you are planning to build. If Planning and Zoning for some reason does not agree on the set backs it will go to Zoning Board of Adjustments.

Jason Coker stated the right-of-Way itself will not prohibit building the expansion the way they want it. The existing structure will be in the right-of way if we give 25 feet of ROW on the north boundary of 10th. That existing building would be set in the Right of Way.

Tony Roberts stated it is. Once you give up the ROW and you want to go back and to do something because you would be spending hundreds of Dollars just for a small strip. On Main Street I think we are giving up 4 feet. Engineering for the City has said if we should ever expand Main Street there would be plenty of room to expand.

Barkley Mallette stated he want to make sure that part of construction will be in the Right of Way at that time.

Tony Roberts stated yes Sir.

Ron Davis stated we can handle that with the note on the Plat.

Jason Coker stated the new structure will, but the existing structure will not

Julie Ramm asked would that be an issue with the existing structure being on the right of way?

Tony Roberts stated will have a note on the Plat that the Right of Way have allowed this for the future. We need to say we agree to keep the Right of Way line in the invent the building was no longer there.

Ron Davis stated we will work out the language to make sure the church is stated as sitting on existing Right of way incase something destroyed the church. We will document on Plats

Tony Roberts stated will make sure both parties are covered.

Motion by Mr. Tony Roberts to grant the waiver request for additional Right-of-Way Dedication along 10th Street with Preliminary Plat. Northport Baptist Church will dedicate 25' from CL along 10th where there is no current structure. If any of the existing structures are removed or demolished additional ROW will be required at that time. **Second by Michael Manson** Roll call vote was as follows: Mr. Roberts -Yes; Mr. Manson – Yes; Mr. Blackburn -Yes; Mrs. Dawkins -Yes; Mr. Phillips -Yes; Mr. Myers - Yes **Motion Carried**

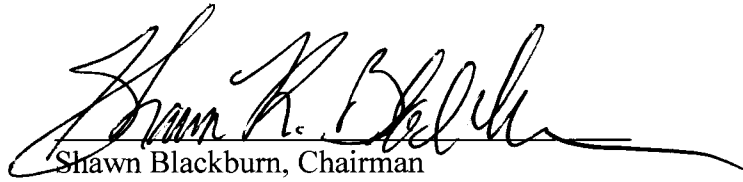
XI. CITIZEN COMMUNICATION

Shawn Blackburn stated he wanted to thank Councilman Roberts on this request.

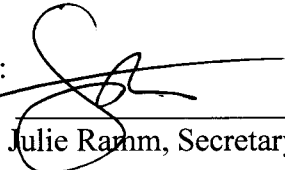
XII. DISCUSSION

XII. ADJOURNMENT

Motion by Mr. Tony Roberts to adjourn. Second by Michael Manson
All in Favor meeting was adjourned at 6.41.


Shawn Blackburn, Chairman

ATTEST:


Julie Ramm, Secretary