

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, SEPTEMBER 10, 2019**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, September 11, 2019, in the Council Chambers at Northport City Hall.

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

Approval of Agenda – **Motion by Mr. Dale Phillips** to approve agenda, with a change in order by hearing New Business before the Old Business. **Seconded by Mr. John Myers.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Myers-Yes; Mr. Blackburn-Yes; Mr. Manson-yes; Mr. Roberts and Mr. Roland-Yes. **Motion Carried.**

Approval of minutes- August 13, 2019. **Motion by Mr. Tony Roberts** to approve minutes. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Roberts -Yes; Mr. Kemp -Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Manson-Yes; Mr. Phillips-Yes; and Mr. Roland **Motion carried.**

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

Verification of No Conflict of Interest

Information on Back of Agenda – **Chairman** explained the meeting procedures on the Agenda.

NEW BUSINESS

A-11-19 Donlevy Properties, Ltd – Requests Annexation approval for approximately 3 acres located at 4007 67th Avenue.

Julie Ramm stated Donlevy Properties requests annexation of 3.16 acres of land located at 4007 67th Avenue. The applicant is requesting annexation in order to receive City services. This property is contiguous to the city limits and meets all requirements for annexation. The initial zoning designation will be AG Agricultural.

Motion by Mr. Tony Robert to grant a favorable recommendation to City Council for the Annexation Approval of 3.16 acres of land located at 4007 67th Avenue as AG Agricultural. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Manson–Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; and Mr. Myers-Yes; Mr. Phillips-Yes and Mr. Roland-Yes **Motion carried.**

S-15-19PP Maxx Property Subdivision – Request Preliminary Plat approval for approximately 0.48 acres located West of Northport Baptist Church on 26th Avenue. **Waivers:** Half Street Improvements, Additional Right of Way and Sidewalks.

Julie Ramm stated David Crawford requests Preliminary Plat approval for a two-lot subdivision located west of Northport Baptist Church on 26th Avenue. She stated that the proposed lot widths are less than the minimum required in the Zoning Ordinance. However, the applicant was granted a variance by the Zoning Board of

Adjustment in May of 2019 to allow for a reduction of lot width from 75 feet to 59 feet in width. The applicant is also asking for Waivers of Half Street Improvements, Additional Right of Way and Sidewalks.

Chris Sentell, Sentell Engineering, Inc. 639 Black Bears Way, representing David Crawford of Maxx Property Subdivision. Mr. Crawford is requesting Preliminary Plat for a two-lot subdivision that is currently Lot 15 & 16. Mr. Crawford is selling the south lot and in doing so will leave him with 59 feet width lot. The current setback now is a 30 feet wide house that doesn't include the drive. We are splitting the Lot in the middle and each Lot will have 59 feet in width. This will be in line with other lots. We are asking for waivers of Half Street Improvements, sidewalks and ROW dedication.

Motion by Mr. Michael Manson to grant the Preliminary Plat approval of .48 acres located West of Northport Baptist Church on 26 Avenue, with waivers included. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Kemp-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; and Mr. Phillips-Yes; Mr. Roberts-Yes and Mr. Roland-Yes **Motion carried.**

S-16-19PP Overflow Express Wash – Requests Preliminary Plat approval for approximately 3.7 acres located at 3205 Hunter Creek Road (NE Corner of McFarland Blvd/Hunter Creek Road Intersection) **Waivers:** Sidewalks

Julie Ramm stated Hugh Overmyer requests Preliminary Plat approval for a one lot subdivision located at 3205 Hunter Creek Road (NE corner of McFarland Boulevard and Hunter Creek Road). The applicant is asking for a waiver from the sidewalk installation requirement.

She stated the applicant did not provide documentation outlining the reason for requesting the waiver from sidewalks. However, there are no sidewalks along McFarland Boulevard or Hunter Creek Road.

Bradly Porter, TTL, 2890 Rice Mine Road NE, Tuscaloosa, AL, representing Hugh Overmyer. This is a Preliminary Plat to consolidate the 3 existing lots into a single lot. We are asking for waivers of sidewalks and as stated there are no other in the area.

Dale Phillips stated we are talking about a property that joins one of our main thoroughfares. Installation of sidewalks would improve pedestrian traffic.

Bradly Porter stated the terrain is steep and there is an existing retaining wall which is why they have requested the sidewalk waiver.

Motion by Mr. Dale Phillips to grant waiver for sidewalks located at 3205 Hunter Creek Road (NE Corner of McFarland Blvd/Hunter Creek Road Intersection). **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-No; Mr. Kemp-No; Mr. Manson-No; Mr. Blackburn-No; Mr. Myers-No; Mr. Phillips-No and Mr. Roland-No **Motion Failed.**

Motion by Mr. Tony Roberts to grant the Preliminary Plat approval for a one lot subdivision located at 3205 Hunter Creek Road (NE corner of McFarland Boulevard and Hunter Creek Road). Waiver Denied **Seconded by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Phillips-Yes; Mr. Manson-Yes; Mr. Kemp-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; and Mr. Roland-Yes **Motion carried.**

SP-04-19 Hugh Overmyer – Requests Conditional Use approximately 3.7 acres located 3205 Hunter Creek Road (NE Corner of McFarland Blvd/Hunter Creek Road Intersection).

Julie Ramm stated the petitioner requests Conditional Use Approval at 3205 Hunter Creek Road. The petitioner is proposing to place fill material in the floodplain, making the subject piece of property more conducive for development. The total acreage of the development is 3.7 acres. She said the petitioner states in their petition that the property is not in a low-lying area and will not require significant fill to bring the area above the 100-year flood elevation is approximately 1.5 feet. Mrs. Ramm also stated part of the designated floodway is proposed to be filled. FEMA regulations do allow for the filling of floodplains if there is no rise associated with filling in a designated floodway. However, the City's zoning ordinance requires that a Conditional Use be granted to allow filling.

Bradly Porter, TTL, Inc, 2890 Rice Mine Road, NE, Tuscaloosa, AL, stated they are requesting Conditional Use Approval to place fill in the flood plain. He stated the fill area is the area outside of the floodway. The area on the west side of the property is useable but narrow. He stated in order for the property to be developed, some of the flood plain will need to be filled. He stated this is permitted by FEMA and they will be submitting a letter of Map Revision.

Tony Roberts stated the City Ordinance is different from FEMA.

Julie Ramm stated that is correct that the city does have additional steps. She also stated the Zoning Board of Adjustment has been petitioned to allow for this application.

Dale Phillips asked if any other actions were required from the Corp of Engineers

Bradly Porter stated the Letter of Map Revision would be the process you would follow with FEMA.

Holly Phillips stated the City would be looking for the design to provide compensatory storage.

Bradly Porter stated compensatory storage would be addressed.

Motion by Mr. Tony Roberts to grant a favorable recommendation to Council for approval of the Conditional Use for 3.7 acres to fill in flood plain located at 3205 Hunter Creek Road (NE Corner of McFarland Blvd/Hunter Creek Road Intersection. **Seconded by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Phillips-Yes; Mr. Manson-Yes; Mr. Kemp-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; and Mr. Roland-Yes **Motion carried.**

SP-05-19 City of Northport – Requests Administrative Clarification on the Resurvey of Lot 10 Oak Creek No. 2.

Julie Ramm asked for administrative clarification on the Resurvey of Lot 10, Oak Creek Number 2. The Commission approved the resurvey of this lot on June 11, 2019. However, the waiver for sidewalks was denied. The Final Plat has been submitted to the City, but staff cannot sign the plat because the sidewalks have not been installed. When the original subdivision was platted, the sidewalks were installed when the lots were built upon. The owners of Lot 10 thought sidewalk installation were required during the construction of their house. The owners would like to install the sidewalks at the same time the driveway is install.

David Kemp stated as long as the sidewalks are installed properly according to with the ADA standards which he would not have a problem with holding off until the driveway is poured.

Motion by Mr. David Kemp to make an administrative clarification on the Resurvey of Lot 10, Oak Creek No. 2, which would allow the sidewalks to be before the certificate of occupancy is issued as long as all ADA standards

are met. **Seconded by Mr. Tony Roberts.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Roberts-Yes; Mr. Manson-Yes; Mr. Phillips-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; and Mr. Roland-Yes **Motion carried.**

OLD BUSINESS

SP-03-19 Beacon Place Northport – Request Site Plan approval for the development of 312 units located at the intersection of Paul Howell Road and Home Place Road.

Julie Ramm stated IMS Development requests Site Plan approval for approximately 30 acres located near the intersection of Homeplace Road and Paul Howell Road. In 2003, the original Master Plan for Grand Pointe was approved with a site for apartments along Homeplace Road and Paul Howell Road. The approved plan allowed for a maximum of 450 units on 30 acres of land. Several amendments to the Master Plan have been approved by the Planning Commission. The most recent approval was in 2017. All the amendments of 450 units on 30 acres of land, at the time of annexation was zoned PD.

In 2012, a re-write of the zoning ordinance and a map revision was approved by the City Council and PD was assigned the new zoning classification of “RS-SD”. The apartment site zoning has remained the same since the 2012 map revision. Multi-family housing is allowed in the RS-SD zone. The apartment site zoning has remained the same since the 2012 map revision. Multi-family housing is allowed in the RS-SD zone. However, the Planning Commission does have some oversight with the development. The commission will establish the setbacks for the buildings and can also impose additional requirements of the developer. There is a total of 276 units and total of 466 bedrooms.

Jimmy Duncan, McGiffert and Associates, 2814 Stillman Boulevard, Tuscaloosa, representing IMS Development appeared before the commission stating their request for site plan approval.

Mr. Duncan stated there are 22 single-story buildings; 4-1.5 story buildings; 2-3 story buildings. He stated the revised total is now 276 units with a total of 466 bedrooms. Mr. Duncan stated that a Community meeting was hosted by Mr. Trick so residents could ask questions. These will be rented per units not by the bed. The main entrance will be off Paul Howell Road.

Mr. Duncan stated they will landscape according to code. He also stated there will be sidewalks connecting every building to clubhouse.

Ronnie Elliot, 14324 Paul Howell Road, Northport, stated the topography map shows that the wetlands will be mitigated. He stated the wetlands feeds Mr. Sartains two lakes. He also wanted to know the plan for run off. Mr. Elliot also asked if any traffic study had been done and how the increase would impact the area.

Fannie Palmer, 14120 Paul Howell Road, Northport, stated she is not in favor of the development because it will directly affect her. She stated that she lives directly across the street from where all of this will take place. She stated that traffic will be increased and schools will be over crowded.

Phillip Hall, 14284 Paul Howell Road, Northport, stated his main concern is the traffic. He would like to see a plan before construction is started.

Brett W. Littleton, 13923 Grand Pointe Blvd. Northport, stated this development will back up to his property. He stated that the open house was nice. He stated that he has concerns about traffic, but overall likes the idea and think it will improve the area.

Chad Haney, 12669 Leatha Circle, Northport, Treasurer of Homeowners Association, Grand Pointe stated they appreciate Mr. Trick for working with the HOA and adjusting the site plan. He stated that Mr. Trick went above and beyond to put on a community meeting to have people to come out. He said the people who came out to the community meeting were very impressed.

Ann Lowery, 11531 Linsey Way, Northport, stated her understanding of this development was that this was approved in 2003 as Phase 8 of Grand Pointe Subdivision, but Mr. Duncan tonight has made it clear that this does not have anything to do with Grand Pointe. She asked if this development was still part of Grand Pointe?

Jimmy Duncan stated that they would apply for a permit with the Corp of Engineers to mitigate the wetlands. He also stated that the drainage course falls on to County High and further south to Rose Boulevard. Mr. Duncan stated that any additional drainage that will generated by this project will be addressed per Northport policy. He stated that there will be no run off increase associated with this project. He also stated that run-off will be handled through a series of tanks underground to store the storm water runoff. Mr. Duncan stated that they will perform a traffic study. He said the study will determine the improvements that need to be made.

Dale Phillips asked if Mr. Duncan to go over the school bus stop.

Jimmy Duncan stated they plan to provide a school bus stop on Home place Road that will give kids a place to get out of the weather.

Dale Phillips stated everyone main concern is the traffic study. Clarify what you mean by engineering documents. Mr. Phillips asked if the study will be done before the construction plans are submitted.

Jimmy Duncan stated the traffic study will be submit at that time. It will be incorporated with the package that will go to Holly group or it may be submitted ahead of time.

Dale Phillips stated there will be no construction plans approve unless the traffic study has been submitted. The traffic study must be approved by the County because they control the roads.

Jimmy Duncan stated the traffic study will also go to the County Engineer.

David Kemp stated ALDOT is looking how to make improvements to Hwy 43 going North of the Paul Howell intersection.

Dale Philips stated Paul Howell Road and Home Place are all county roads.

Jimmy Duncan stated that was correct.

Holly Phillips stated the traffic study should be turned in to engineering before construction.

Motion by Mr. Michael Manson to grant request of Site Plan approval for the development of 276 Units with 25-foot setbacks for the project located at the intersection of Paul Howell Road and Home Place Road. **Seconded by Mr. John Myers** Roll call vote was as follows: Mr. Manson-Yes; Mr. Myers-Yes; Mr. Kemp-Yes; Mr. Phillips-Yes; Mr. Blackburn-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes **Motion carried.**

XI. CITIZEN COMMUNICATION

XII. DISCUSSION

Tony Roberts stated he would like to have discussion to create a bucket for future development on sidewalks that can be used. He stated that he doesn't know legally what can be done, but instead of continually to waive them we should look at a sidewalk ban and have the developer contribute.

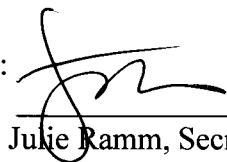
Ron Davis replied we can address that in the code.

XII. ADJOURNMENT – 7:45 p.m.



Shawn Blackburn, Chairman

ATTEST:



Julie Ramm, Secretary