

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 12, 2019**

The Planning and Zoning Commission met in a regular session at 6:05 p.m. on Tuesday, November 12, 2019, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Shaw Blackburn. Upon roll call the following members were found to be present: Mr. Shawn Blackburn, Mr. David Kemp, Mr. Michael Manson, Mr. John Myers, Mr. Dale Phillips, Mr. Tony Roberts and Mr. Scott Roland. Absent and failing to vote were Ms. Nancy Dawkins, and Mr. Jerry Pruitt. Staff present were Julie Ramm, Planning Director, Holly Phillips, Engineer, Max Snyder, Development Coordinator, Richard Brown, City of Northport Fireman and Nannette McKinney, Administrative Assistant.

Approval of Agenda – **Motion by Mr. Tony Roberts** to approve agenda. **Seconded by Mr. John Myers**. Roll call vote was as follows: Mr. Roberts-Yes; Mr. Myers-Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; Mr. Manson – Yes; Mr. Phillips -Yes; and Mr. Roland-Yes. **Motion Carried**.

Approval of minutes– **Motion by Mr. Dale Phillips** to approve September 10 & October 8, 2019, minutes. **Seconded by Mr. David Kemp**. Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Mr. Blackburn-Yes; Mr. Manson-Yes; Mr. Myers-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **Motion Carried**.

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

Verification of No Conflict of Interest – None

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

OLD BUSINESS

SP-01-19 First Baptist Northport – Requesting 12th Street be renamed to honor the Late Rev. O.S. Harvey.

Julie Ramm stated First Baptist Church of Northport is requesting a portion of 12th Street be renamed to honor the Late Rev. O.S. Harvey. This item came before the Commission in July. At that time, the applicant had presented a petition that was signed by members of First Baptist Church of Northport and community members that supported the renaming of this portion of 12th Street. The item was tabled in order to give the petitioner time to have a new petition signed by the residents living on 12th Street whose address would be changing if the street is renamed. This is a recommendation to the City Council.

Tony Roberts stated The Planning and Zoning Commission discussed several options to rename 12th Street to honor the Late Rev. O. S. Harvey. Mr. Roberts stated he was not for the renaming because of emergency services. Mr. Roberts also stated he and Councilman Logan had some ideas to discuss with the church concerning renaming the street, and other property in the area. There maybe some other options instead of the renaming 12th Street. Mr. Roberts asked to be given more time to discuss with church and Councilman Logan about some ideas.

Dale Phillips stated the Commission asked and instructed the Church for certain things at the July meeting and they completed everything. Mr. Phillips stated the Church should have been contacted before tonight if we were going to be discussing other ideas.

Jay Logan, 2018 43rd Avenue, Northport, Alabama, stated he was speaking on behalf of the church. Mr. Logan stated the Church did everything that was asked of them. He stated that he and Councilman Roberts discussed some other options for honoring The Late Rev. O. S. Harvey to make sure there was a plan B in case the Commission didn't feel comfortable in renaming streets.

Dale Phillips stated because this is a recommendation to council and they will have the final vote.

Motion by Mr. Dale Phillip to make a recommendation to Council to rename 12th Street to O.S. Harvey Street from First Baptist Church to the east city limit line. **Seconded by Mr. Shawn Blackburn.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; Mr. Manson – Yes; Mr. Myers -Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **Motion Carried.**

NEW BUSINESS

S-20-19PP YOUNG PROPERTY – Requests Preliminary Plat approval for approximately 7.02 acres located at The intersection of Frank Lary Road and Elam Drive. **Waivers:** Sidewalks and Capped Sewer.

Bobby Herndon, Herndon, Hicks & Associates, 2728 Lurleen Wallace Blvd. Northport, representing Young Property Preliminary Plat on 2 Lots located on Elam Drive and Intersection of Frank Lary Road. Mr. Herndon stated there are 3 Tax Id parcels that will be divided into two lots. Mr. Herndon also stated they are requesting waivers of Capped Sewer and Sidewalks.

Julie Ramm stated the setbacks on lot 1 are slightly different. The county requires a 30-foot front setback on Elam Drive and 35-foot rear setback on the southern boundary.

Mr. Herndon stated the setbacks will be addressed on the Final Plat.

Shaw Blackburn asked what side the sidewalks were on.

Julie Ramm stated there are sidewalks on north side of Elam Drive. There are no sidewalks on the south side.

Motion by Mr. Tony Robert to approve Preliminary Plat with waiver of sidewalks and capped sewer located at the intersection of Frank Lary Road and Elam Drive. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Kemp–Yes; Mr. Blackburn-Yes; Mr. Manson-Yes; Mr. Myers-Yes; and Mr. Phillips-Yes and Mr. Roland **Motion carried.**

S-21-19PP X-Mark Subdivision – Requests Preliminary Plat approval for 2.54 acres located at intersection of 28th Street and 20th Avenue. **Waivers:** Half Street Improvements, Additional Right of Way dedication and Sidewalks.

Bobby Herndon, Herndon, Hicks & Associates, 2728 Lurleen Wallace Blvd. Northport, Alabama representing X-Mark Subdivision will be **withdrawing S-21-19PP X-Mark Subdivision** and companion case **R-06-19 Paragon Acquisition.**

S-22-19PP Byler Road Subdivision – Request Preliminary Plat approval for 4.4 acres located at the 7910 Byler Road. **Waivers:** Sidewalks, Half Street Improvements and Capped Sewer.

Brock Corder, The Builders Group of West Alabama, 1307 25th Avenue, Tuscaloosa, Alabama, representing Byler Road Subdivision.

Julie Ramm stated The Builders Group of West Alabama requests Preliminary Plat approval for a seven-lot subdivision located at the 7910 Byler Road. The total acreage of the proposed subdivision is 4.4 acres. This proposed subdivision is not located in the city limits but is located within the City's Planning Jurisdiction. Waivers requested are Sidewalks, Capped Sewer and Half-Street Improvements. There are a couple of issues that relate to fire code regulations that Chief Richard Brown will answer if there are any questions.

Battalion Chief Richard Brown stated that the Fire Code dictates access roads must be a certain width. He stated that anything over 500 feet in length must be 26 feet wide. Battalion Chief Brown also stated from his understanding the road is over 500 feet. It is currently not meeting the 20 feet width that normal access roads require.

Julie Ramm stated one of the questions asked in the work session the previous weeks was who has the authority to waive that requirement. She continued by saying discussions with our Legal Department determined that the Planning Commission does not have authority. The only group that could entertain the request would be the City Council because they are the body that adopted the Fire Code.

Brock Corder stated he would like to point out this is an existing road, not one that we are proposing to install. There are homes of this road on the east and west side. On the property we are proposing to subdivide there have been up to five mobile homes. Our proposal is to subdivide this to build site build homes. Currently there is no fire hydrant within 600 feet of the dwellings on east or west side. We are proposing to extend a water main to provide fire hydrant access. In the Fire Code, Section 104.8, it states modifications where there are practical difficulties in carrying out the provisions of this code, the fire official shall have authority to grant modification for individual cases if it does not lessen the health or life of fire safety requirement of the area. Mr. Corder stated that he felt the Fire Department has the authority to make that call. Mr. Corder also stated they are offering to install sprinklers in new homes, which is not required in Alabama for residential construction.

Dale Phillip stated the items we are to vote on did not include fire code.

Motion by Mr. Tony Robert to approve Preliminary Plat with waiver of sidewalks, Half Street Improvements and Capped Sewers located at 7910 Byler Road. **Seconded by Mr. John Myers.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Myers-Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; Mr. Manson-Yes; Mr. Phillips-Yes; and Mr. Roland-Yes **Motion carried.**

R-07-19 Taylor Properties, LLC – Requesting Rezoning of 5.62 acres from OI (Office/Institutional) to C2 (Neighborhood Commercial) located at 1324 Rice Mine Road.

Julie Ramm stated The Tuscaloosa County Board of Education and Taylor Properties, LLC requests rezoning of 5.54 acres from O/I to C-2. The subject parcel is abutted to the north and west by single family residential zoning. The zoning of the parcels directly adjacent to the south are zoned O/I. This is the former site of Sprayberry Regional Education Center. Taylor Properties is proposing a wide range of uses on this property. However, the Commission must consider all uses that are allowed in the C-2 zoning classification. Those uses range from multi-family housing, schools, and churches to general retail, vet offices, and restaurants. This is a recommendation to Council.

Brad Taylor, Taylor Properties, 5479 Skyland Boulevard East, Cottdale, AL stated Mrs. Ramm summarized the request very well.

Jay Logan, 2018 43th Avenue, Northport, AL, stated the community would like to bring in new development that may enhance the area. The citizens of that district want to make sure the zoning for that area will be

appropriate 20 years from now. Mr. Logan also stated he was speaking on behalf of the residents, Mayor and the Council that the property be zoned for what is the highest and best use for the area.

Shaw Blackburn asked what does C-2 include.

Julie Ramm stated C-2 ranges from Institutional, Office and Commercial Uses, etc. There is a very wide range of uses. Mrs. Ramm also stated this is zoning typically associated with a neighborhood. It is not what you would see on McFarland. Office Institutional is where you would see Churches, Schools, Government facilities, Banks, and Beauty Shops.

Jay Logan stated all the things Mrs. Ramm mention are needed, but Northport became successful in getting a Hotel. Mr. Logan also stated he would like to see a domino effect with a mix of Government and Retail buildings in the area.

Shawn Blackburn stated he lives in the area and would like to see it grow.

Brad Taylor stated the Sprayberry Center is a 5 acres piece of property. But there are two acres of the property that are unusable property near the drainage ditch. He stated that the only thing you can do at the Sprayberry Center is to make that building work. He stated that this is not a high-end area and we want to make that building nice and the area. Our intentions are to paint the exterior, put a new roof, and add plants.

Tony Roberts stated most of the Commission is against mini-storage. Mini-storage are not becoming to city development. He stated that they don't drive traffic, tax or anything. Mr. Roberts asked if the rezoning petition is approved and the Conditional Use application is denied, would they be pulling out of the deal.

Brad Taylor stated it would be highly likely.

Tony Roberts stated he was in favor of the C-2 zoning but not in favor of mini-storage.

Brad Taylor stated they are not talking about tearing down buildings. Mini-storage with roll up doors with storage inside.

Julie Ramm stated the Commission can add stipulations to the Conditional Use approval and the City Council can add additional requirements.

Brad Taylor stated he would have problems today getting anyone to pay high-end dollar amounts in that space.

Bruce Taylor, Taylor Properties, LLC, 5461 Skyland Boulevard E, Cottdale, AL stated he is the father of Brad Taylor. In the work session last week, we talked about taking those existing buildings and making those building office building from its outside façade down to the shrubbery and this would look like office buildings. He stated that they need the C-2 zoning for future use. He stated that the City must change its concept on how you view mini storage.

Julie Ramm stated this is the most restricted commercial zoning the city has available.

Motion by Mr. Michael Manson to make a recommendation to Council to approve Rezoning of 5.62 acres from OI (Office/Institutional) to C2 (Neighborhood Commercial) located at 1324 Rice Mine Road. **Seconded by Mr. John Myers.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Myers-Yes; Mr. Blackburn-No; Mr. Kemp-Yes; Mr. Phillips-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes **Motion carried.**

SP-06-19 Taylor Properties, LLC – Requesting Conditional Use for mini-warehouse located at 1324 Rice Mine Road.

Julie Ramm stated The Tuscaloosa County Board of Education and Taylor Properties, LLC requests Conditional Use Approval to allow mini-warehouse on 5.54 acres located at 1324 Rice Mine Road. This is the former site of Sprayberry Regional Education Center. Taylor Properties is proposing a wide range of uses on this property. However, they would like the option to use the entire property for mini-warehouses. The petitioner has proposed a rezoning to C-2. Mini-warehouse is allowed in this zone only by Conditional Use approval. If it is the desire of the Commission to consider this Conditional Use, staff would recommend mini-warehouse for a specific area located within the existing structure. The Commission may also want to add specific stipulations that no external roll-up doors be allowed, only allow climate-controlled storage, etc.

Brad Taylor, Taylor Properties, LLC, 5461 Skyland Boulevard E, Cottdale, Alabama, stated the property was vacated in 2015. He stated they would like to turn it into a high-end retail property, but right now we are looking at mini-storage. He also stated they have no intentions of building anything new on the property, only to use existing building.

Bernice Brown, 1618 17th Street, Northport, stated Mr. Taylor mentioned last week he spoke of restaurants and now its back to mini-storage. Ms. Brown stated she has lived in area for over 50 + years and having a mini-storage backed to her property poses a problem. Ms. Brown also wanted to know where the entrance for the mini-storage would be located.

Brad Taylor stated the entrance would be on the side where the cafeteria is located. He also stated the office space would not have same entrance as the mini-storage.

Jay Logan stated he does not see this is the best use for that building.

Julie Ramm stated the petition as presented is to allow mini-warehouse for the entire site.

Motion by Mr. Shawn Blackburn to make a recommendation to Council to approve conditional Use for mini-warehouse with stipulation located at 1324 Rice Mine Road. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Blackburn-No; Mr. Kemp-No; Mr. Manson–Yes; Mr. Myers-Yes; Mr. Phillips-No; Mr. Roberts-No; Mr. Roland-No **Motion Failed.**

XI. CITIZEN COMMUNICATION

Jay Logan gave an update on the MLK widening project.

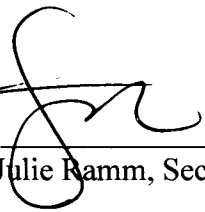
Sidewalk meeting on Tuesday, November 19, 2019 at noon.

XII. DISCUSSION

XII. ADJOURNMENT – 7:45 p.m.


Shawn Blackburn, Chairman

ATTEST.


Julie Ramm, Secretary